

RECORDS MANAGEMENT

1. REASON FOR ISSUE: This Veterans Health Administration (VHA) directive establishes authority, policy, and procedures for a formalized VHA records management program within all VHA organizational components. This is in response to Department of Veterans Affairs (VA) policy and mandates of the National Archives and Records Administration (NARA).

2. SUMMARY OF MAJOR CHANGES: This directive defines the policy and procedures for carrying out the records management program, assignments of duties, and the establishment of records managers and records liaisons within all VHA facilities. *NOTE: These policies were developed based on, and in conjunction with, records management requirements contained in various Federal regulations, guides, bulletins, and memoranda published by NARA.*

3. RELATED ISSUES: VA Directive 6300, Records and Information Management, dated February 26, 2009; VA Handbook 6300.1, Records Management Procedures, dated March 24, 2010; VA Handbook 6300.2, Management of the Vital Records Program, dated January 12, 1998; VA Handbook 6300.8, Procedures for Shipment of Records to the VA, dated January 12, 1998; VA Directive 6301, Electronic Mail Records, dated April 24, 1997; VA Handbook 6301, dated April 24, 1997; Procedures for Handling Electronic Mail Records, dated VA Directive 6371, Destruction of Temporary Paper Records, dated April 8, 2014; VA Directive 6500, Managing Information Security Risk: VA Information Security Program, dated September 20, 2012; VA Handbook 6500.1 Electronic Media Sanitization, dated November 3, 2018; VHA Directive 0320.01, VHA Comprehensive Emergency Management Program (CEMP) Procedures, dated April 6, 2017; and VHA Directive 6300.01, Records Management Compliance Monitoring, dated August 17, 2017; or subsequent policies.

4. RESPONSIBLE OFFICE: The VHA Office of Informatics and Information Governance (OIIG), Health Information Governance (HIG), Health Information Management (HIM) Program Office, Records Officer (10A7), are responsible for the contents of this directive. Questions may be referred to the VHA Records Officer at 202-461-5509.

5. RESCISSIONS: VHA Directive 6300, dated July 10, 2012, is rescinded.

6. RECERTIFICATION: This VHA directive is scheduled for recertification on or before the last working day of October 2023. This VHA directive will continue to serve as national VHA policy until it is recertified or rescinded.

October 22, 2018

VHA DIRECTIVE 6300

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Executive in Charge

NOTE: *All references herein to VA and VHA documents incorporate by reference subsequent VA and VHA documents on the same or similar subject matter.*

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RECORDS MANAGEMENT

1. PURPOSE

This Veterans Health Administration (VHA) directive is issued to provide basic requirements for the establishment and maintenance of a formalized records management program within all VHA organizational components. **AUTHORITY:** Title 36 Code of Federal Regulations (CFR) Chapter XII, Subchapter B.

2. BACKGROUND

VHA, by Federal statute and regulation, must establish and maintain a formal records management program encompassing all Federal records, in paper, electronic, or other medium, in accordance with the National Archives and Records Administration (NARA)-requirements, NARA General Records Schedule (GRS), and NARA-approved VHA record disposition schedules. Records must be managed from their creation to final disposition.

3. DEFINITIONS

a. **Audiovisual Records.** Records in pictorial or aural form which include motion pictures, still pictures, sound recordings, video recordings, graphic materials such as posters and original art, audio and video recordings and combinations of media such as slide tape productions.

b. **Computer Matching Program.** A computer matching program is any computerized comparison of two or more automated systems of records. A matching program covers the actual computerized comparison and any investigative follow-up and ultimate action. Only matching programs involving Federal benefits programs and matches using records from Federal personnel or payroll systems of records are applicable to the procedures in this directive. Legal questions regarding whether a proposed computer data exchange meets the standards for a matching program should be referred to the Office of the General Counsel (OGC) Professional Staff Group (PSG) IV (024), or successor office.

c. **Disposal.** Removal of records from VA control and authority by their sale, donation, or assignment of legal custody or title to others (Federal or non-Federal entities), or by their physical destruction, sale as waste material, or other forms of salvage or transfer; includes erasure of information captured or maintained on electronic media.

d. **Disposition.** An interim or final placement of records and recorded information; the actions taken with regard to records and recorded information to maintain them in a proper place following their appraisal, including the actions of: (1) retaining; (2) transferring to a records center for temporary storage; (3) transferring to an archival agency; (4) donation to an eligible repository; and (5) image reproduction or destruction. The list of VHA dispositions can be found in Record Control Schedule (RCS) 10-1.

e. **Electronic Mail Records.** Senders' and recipients' versions of electronic mail messages that meet the definition of Federal records, and any attachments to the record messages after they have been copied to an electronic recordkeeping system, paper, or microform for recordkeeping purposes. (For further information, see paragraph 9.d.)

f. **Electronic Records.** Electronic, or machine-readable records, are records on electronic storage media. Electronic record, as defined in NARA regulations (36 CFR 1234.2), means any information that is recorded in a form that only a computer can process and that satisfies the definition of a Federal record per the Federal Records Act. Federal electronic records are not necessarily kept in a "recordkeeping system" but may reside in a generic electronic information system or are produced by an application such as word processing or electronic mail.

g. **Information System.** The aggregate of all records, information, information handling functions, and systematic processes necessary for operating a program; the organized collection, processing, transmission, and dissemination of information in accordance with defined procedures, whether automated or manual.

h. **Life Cycle of Records.** The management concept that records pass through three stages: creation, maintenance and use, and disposition.

i. **Microform Records.** Microforms are any forms, either films or paper, containing micro-reproduction of records for transmission, storage, reading, and printing. Microform images are commonly reduced to about one twenty-fifth of the original document size. For special purposes, greater optical reductions may be used. All microform images may be provided as positives or negatives, more often the latter. Microform records are records on any form containing greatly reduced images, normally on microfilm. Three formats are common: microfilm (reels), aperture cards, and microfiche (flat sheets).

j. **Non-record Material.** All informational materials which are determined to be disposable by VA without the specific approval of the Archivist of the United States which are not included within the definition of "Record Material". Specifically, this includes informational materials preserved solely for purposes of reference; extra copies of documents preserved only for convenience of reference (reading file and follow-up copies of correspondence, identical copies of documents maintained in the same file, extra copies of printed or processed materials of which official copies have been retained for purposes of record, etc.); stocks of publications and processed documents preserved for supply purposes; drafts, worksheets, and notes that do not represent significant basic steps in the preparation of record copies of documents, that were not circulated or made available to employees other than the creator, and that do not contain unique information that aids in the understanding of VA business that has not been made part of the official record; letters of transmittal that do not add information to that contained in the transmittal material; shorthand notes, stenotype tapes and similar secretarial materials, such as word processing disks/diskettes from which the informational content has been transcribed or otherwise processed to provide official

copies for purposes of record; and other material that has been determined to be non-record based on the appraisal procedures.

k. **Permanent Records and Information.** Permanent (archival) records are defined as records that have been appraised by VA and NARA and approved by NARA to have sufficient historical value or other value to warrant permanent preservation at the National Archives. Those records that have enduring historical or other value and will never be removed from Federal custody. In United States Government usage, records and information appraised by VA and approved by NARA as having enduring value because they document the organization and functions of the agency that created or received them and/or because they contain significant information on persons, things, problems, and conditions with which VA dealt, and for which there is no plan for destruction. (For further information, see paragraph 8.a.)

l. **Personal Papers.** are documentary material of a private or non-public character that do not relate to or have an effect on the conduct of Veteran Affairs, Veteran Health Administration, or general government business.

m. **Records (Federal).** Records include all records 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. Chapter 33, Sec. 3301).

n. **Records Appraisal.** The process of determining the value and, thus, the final disposition of records and information based upon their administrative, financial, and other uses, their evidential, legal, and informational or research value, their arrangement and relationship to other records, and their historic value to VA, other agencies of the Federal Government, or to the general public.

o. **Records Liaison.** Service line representative who works in conjunction with the Records Manager to ensure proper management of records created and maintained by the service line.

p. **Records Management.** The managerial activities involved with respect to records creation, maintenance and use, and disposition of records to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of VA operations.

q. **Records Manager.** Persons designated responsibility for managing and coordinating a records management program for their respective organization.

r. **Records Officer (VHA).** The person assigned responsibility by the agency head for overseeing an agency-wide records management program.

s. **Records Series.** File units or records arranged according to a filing system or kept together because they relate to a particular subject or function, result from the same activity, document a specific kind of transaction, take a particular physical form, or have some other relationship arising out of their creation, receipt, or use, such as restrictions on access and use.

t. **Temporary Records.** Temporary records are records which will be destroyed or otherwise removed from Federal Government control after a fixed period of time or after occurrence of a specified event, and records approved by NARA for disposal, either immediately or after a specified retention period. (For further information, see paragraph 9.b.)

u. **Unscheduled Records.** Records that have not been evaluated to determine their record retention value, i.e., retention and disposition standards. Such records are to be retained until they receive disposition authorities from NARA. Records whose final disposition has not been approved by NARA. (See also paragraph 9.c.)

v. **Vital/Essential Records.** Records essential for maintaining the Continuity of Operations during and following a national or regional emergency.

4. POLICY

It is VHA policy to manage, maintain, and dispose of official records in accordance with established records management statutes, regulations, policies, practices, and procedures, and pursuant to current NARA-approved VHA records disposition schedules as outlined in VHA Records Control Schedule 10-1.

5. RESPONSIBILITIES

a. **Under Secretary for Health.** The Under Secretary for Health is responsible for oversight of this directive, to include:

- (1) Ensuring an effective and compliant VHA records management program is maintained.
- (2) Ensuring a vital/essential records program is maintained to guarantee the continuity of essential Federal government operations during and following a national emergency, a technological or natural disaster, and to protect the rights and interests of VA beneficiaries and employees.
- (3) Ensuring all VHA records are appraised and scheduled and their approved retention periods published in the Records Control Schedule (RCS) 10-1.
- (4) Ensuring the Records Program Office is placed at a level in VHA with sufficient authority and funding to efficiently and effectively implement the objectives and policies of the VHA records management program.

(5) Ensuring the records management program enables records to be accessed when requested, regardless of medium.

b. **VHA Records Officer.** The VHA Records Officer is responsible for:

(1) Developing and maintaining VHA-specific policies and procedures for the development, maintenance, storage, and disposition of Federal records created within VHA.

(2) Developing and maintaining RCS 10-1, in accordance with NARA requirements.

(3) Managing applications and petitions for modification of existing records schedules and future RCS requests.

(4) Developing and maintaining a formal records management program specific to records created, used, stored, and dispositioned within VHA Central Office.

(5) Distributing policies, procedures, and notifications from the VA Records Officer or NARA to all VHA records managers and other appropriate personnel.

(6) Providing guidance on VHA applicability of VA policy and NARA requirements to VHA staff.

(7) Coordinating with the VHA Privacy Compliance Assurance (PCA) Office on the criteria for how VHA facilities will be monitored, what level of monitoring will be conducted, content of compliance monitoring Facility Self-Assessment (FSA) surveys and other operational decisions that impact the monitoring functions outlined VHA policy.

(8) Approve the transfer to NARA of permanent records submitted for such transfer by Program Office Records Coordinators and Facility Records Managers.

c. **Senior Executive Service (SES).** Senior Executive Service (SES) personnel are responsible for:

(1) Ensuring all employees complete the VA Talent Management System (TMS) course, "Privacy and Information Security Awareness and Rules of Behavior" in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA Training is available at: <https://www.tms.va.gov>.

(2) Ensuring their program office and other areas under their control meet all requirements for the creation, maintenance, use, storage, and disposition of Federal records generated or obtained within their operations, i.e., the lifecycle of records under RCS 10-1 or the General Record Schedule (GRS).

(3) Ensuring that any records creating organizational policy, research, or responses to Congress are controlled and maintained in accordance with RCS 10-1 or the GRS. **NOTE:** Due to the level of responsibility, SES personnel may be creating permanent

VHA records. Care should be taken that these individuals' work-products and e-mails are maintained per RCS 10-1 or the GRS.

d. **VHA Program Chief Officer.** The VHA Program Chief Officer is responsible for:

(1) Designating Program Office Records Coordinator(s) to coordinate and oversee the records management program. **NOTE:** *This may include assignment of more than one Program Office Records Coordinator for program offices depending on the complexity of the program and the management of multiple physical locations.*

(2) Ensuring Program Office Records Coordinators are appointed to a level within the organization with sufficient authority to efficiently and effectively implement the objectives and policies of the VHA records management program.

(3) Ensuring VHA records management program goals are adhered to in accordance with VA/VHA Records Management Policy, RCS 10-1 and GRS record schedules.

NOTE: *The VHA Program Chief Officer has differing responsibilities for records created by teleworkers, depending on the teleworker's location. These responsibilities are specified in paragraph 15.*

e. **VHA Program Office Records Coordinators.** The VHA Program Office Records Coordinator is responsible for:

(1) Implementing policy and procedures for administering their individual Program Office records management program.

(2) Completing the VA Talent Management System (TMS) course, "Records Management for Records Officers and Liaisons" annually and other required records management training as directed, in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** *VHA training is available at: <https://www.tms.va.gov>. Additional VHA training for Records Managers is available at <https://myees.lrn.va.gov/default.aspx>; this is an internal VA Web site which is not available to the public.*

(3) Ensuring all employees within their program office complete the VA Talent Management System (TMS) course, "Privacy and Information Security Awareness and Rules of Behavior" in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** *VHA training is available at: <https://www.tms.va.gov>.*

(4) Developing standardized File Plans and indexing approaches, where appropriate, to simplify the use, access, and integration of information within the Program Office.

(5) Maintaining, reviewing, and managing the Program Office's Records Inventory/File Plan and providing updates to the VHA Records Management Office, at least annually.

(6) Implementing approved records dispositions and ensuring records are not destroyed without proper authorization, as specified in RCS 10-1 or GRS.

(7) Contacting the VHA Records Management Office when unscheduled records are discovered within the Program Office.

(8) Conducting regular internal records management reviews to assist with the implementation of appropriate records management procedures within their Program Office in accordance with VHA Handbook 1605.03, Privacy Compliance Assurance Program and Privacy Compliance Monitoring, dated April 13, 2009, and VHA Directive 6300.01, Records Management Compliance Monitoring, dated August 17, 2017.

(9) Determining if permanent records are ready for transfer to NARA. (See paragraph 8.e.(5), (6).)

(10) Assisting the VHA Records Management Office in the planning and implementation of automated or manual information systems to ensure that records or information created and generated will be properly scheduled in the VHA RCS 10-1.

(11) Assisting the VHA Records Officer in the implementation of the VHA Vital/Essential Records Program in accordance with the VA-wide program in VA Handbook 6300.2, Management of the Vital Records Program. For more detailed information, see paragraph 9.h.(5).

(12) Apprising Program Management leaders and managers on matters relating to records management activities and requirements impacting the program office.

(13) Providing technical advice to off-site Program Office staff on maintaining an effective records management program.

(14) Ensuring that departing/terminating employees do not remove facility records from VHA custody. Ensure that employees turn over their records to their supervisor or another employee determined by the supervisor.

(15) Reviewing Program Office contracts that create, use, store, and disposition facility records to ensure compliance with 36 CFR 1220.30(c) (1).

(16) Contacting the VHA Records Management Office prior to securing off-site records storage locations and ensuring on-site and off-site locations meet the requirements of 36 CFR 1234, Subpart B, Facility Standards for Records Storage Facilities. Maintaining copies of all transfer and destruction records within the Program Office and providing a copy to the VHA Records Management Office.

(17) Assisting the Office of General Counsel and the VHA Records Officer in the execution of records freeze/litigation holds.

NOTE: *The Program Office Records Coordinator is in a unique position to manage records related to policy, operations and mission of VHA. These individuals serve*

essentially as the Records Manager for a program office in a similar manner to the Records Managers within a VA medical facility. However, since the Program Office can be located in Washington DC at the Veterans Affairs Central Office (VACO) or may be remote in other locations within the United States, the duty of the Records Coordinator is somewhat different than a Records Manager. Also, many Program Offices records have been given the disposition schedule of "Permanent" by NARA. Special attention should be given to any record documenting the policies, transactions and management of official VHA operations and mission. The Program Office should exercise care to manage and maintain these records and ensure permanent records are transferred to NARA as required by RCS 10-1 and GRS records schedules.

NOTE: *The VHA Program Office Records Coordinators have differing responsibilities for records created by teleworkers, depending on the teleworker's location. These responsibilities are specified in paragraph 15.*

f. **VISN Directors.** The VISN Director is responsible for establishing policies and processes in compliance with this directive, to include:

(1) Designating a VISN Records Manager and Alternate Records Manager to coordinate and oversee the VISN records management program. **NOTE:** *Alternate Records Managers must be capable of taking full responsibility for managing the Records Management program in the Records Manager's absence.*

(2) Ensuring that the VISN Records Manager is appointed to a level within the organization with sufficient authority to efficiently and effectively implement the objectives and policies of the VHA records management program.

(3) Ensuring the VISN is in compliance with all provisions of the VHA records management program, to include establishing a VISN Vital/Essential Records Program, maintaining proper storage and accessibility of facility records regardless of medium, and adherence to and disposal of facility records in accordance with approved policies and disposition schedules.

(4) Ensuring the VISN meets all requirements for the creation, maintenance, use, storage, and disposition of Federal Records generated or obtained within their operational control, i. e. the life cycle of records.

g. **VA Medical Facility Directors.** The VA medical facility Director is responsible for:

(1) Designating a facility Records Manager and Alternate Records Manager to coordinate and oversee the records management program. **NOTE:** *Alternate Records Managers must be capable of taking full responsibility for managing the Records Management program in the Records Manager's absence.*

(2) Ensuring that the facility Records Manager is appointed to a level within the organization with sufficient authority and resources to efficiently and effectively implement the objectives and policies of the VHA records management program.

(3) Ensuring all service lines and Community Based Outpatient Clinics (CBOCs) support the facility Records Manager in all aspects of the facility records management program and designate Records Liaisons to prepare and maintain the service line, or CBOC Records Inventory and File Plan.

(4) Ensuring the facility is in compliance with all provisions of the VHA records management program, to include establishing a facility vital/essential records program.

(5) Ensuring the facility meets all requirements for the creation, maintenance, use, storage, and disposition of Federal Records generated or obtained within their operational control, i. e. the life cycle of records.

(6) Assisting the Office of General Counsel and the VHA Records Officer in the execution of records freeze/litigation holds.

h. **Facility Records Managers and/or Alternates.** The Facility Records Manager and/or Alternate are responsible for:

(1) Managing and coordinating a records management program for their respective organization. The program goal is to manage federal records throughout their lifecycle (creation, maintenance, use, and disposition).

(2) Implementing policy and procedures for administering the facility records management program and updating as necessary to ensure they are current, relative and comprehensive.

(3) Completing the VA Talent Management System (TMS) course, "Records Management for Records Officers and Liaisons" annually and other required records management training as directed, in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA Training is available at: <https://www.tms.va.gov>. Additional VHA training for Records Managers is available at <https://myees.lrn.va.gov/default.aspx>; this is an internal VA Web site which is not available to the public.

(4) Ensuring all employees complete the VA Talent Management System (TMS) course, "Privacy and Information Security Awareness and Rules of Behavior" in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA Training is available at: <https://www.tms.va.gov>.

(5) Implementing approved records dispositions, while ensuring that no records are destroyed without proper authorization as specified in the RCS 10-1 or General Records Schedule (GRS).

(6) Systematically reviewing and updating the facility Master Record Inventory and File Plan at least annually.

(7) Contacting the VHA Records Officer when unscheduled records, regardless of medium, are discovered within the facility. Once the unscheduled record is identified,

the facility Records Manager will protect the unscheduled record from destruction until a new records schedule is approved by NARA. **NOTE:** *Only the VHA Records Officer is authorized to communicate with NARA to create or change a VHA records control schedule; these actions are taken in collaboration with the VHA Program Office who is responsible for the records covered under their program.*

(8) Conducting regular internal records management reviews in accordance with VHA Handbook 1605.03, Privacy Compliance Assurance Program and Privacy Compliance Monitoring, dated April 13, 2009; and VHA Directive 6300.01, Records Management Compliance Monitoring, dated August 17, 2017, to assist offices within the facility in implementing appropriate records management procedures.

(9) Serving as advisor to the facility's Continuity of Operations (COOP) team/Emergency Management Team to assist in the implementation of the COOP/ Emergency Management and the Vital/Essential Records program in accordance with the VA-wide program in VA Handbook 6300.2, Management of the Vital Records Program. For more detailed information on this process, see paragraphs 6.d. and 9.h.(5).

(10) Apprising facility leaders and managers on matters relating to records management activities and requirements and serving as the facility subject-matter expert related to records management activities and requirements.

(11) Developing records management oversight roles and communication networks with all facility service and product lines, programs, and Community Based Outpatient Clinics (CBOCs) to ensure that the records management program is carried out in accordance with this policy.

(12) Providing technical advice and training to Records Liaisons and facility staff on maintaining an effective records management program.

(13) Determining if permanent records are ready for transfer to NARA. (See paragraph 8.e.(5), (6).)

(14) Ensuring that departing/terminating employees do not remove facility records from VHA custody and that they transfer custody of the records to the appropriate employee or office prior to being cleared.

(15) Reviewing facility contracts that create, use, store, and destroy Federal records in order to ensure compliance with all records management regulations.

(16) Ensuring all inactive record storage locations meet the requirements of 36 CFR 1234, Subpart B, "Facility Standards for Records Storage Facilities." (See paragraph 13.b.)

(17) Collaborating with the facility Privacy Officer in the identification of systems requiring a new System of Records Notification (SORN) ensuring that the correct records disposition is used.

(18) Assisting the Office of General Counsel, facility Director and the VHA Records Officer in the execution of records freeze/litigation holds.

(19) Upon designation as Records Manager/Program Office Coordinator, reviewing Appendix A, Senior Leader and Departing Official Records Requirements of this directive.

(20) Report loss, destruction, or damage to Federal records to the facility Director as required by 36 CFR 1230.

NOTE: *The Facility Records Manager has differing responsibilities for records created by teleworkers, depending on the teleworker's location. These responsibilities are specified in paragraph 15.*

NOTE: *Many of the day-to-day operational requirements of facility records management can be found in Appendix B.*

i. **Service Chiefs, Program Supervisors or Managers.** The Service Chiefs, Program Supervisors or Managers are responsible for:

(1) Appointing a records liaison to support the records manager.

(2) Ensuring the records liaison and records manager is fully involved in all projects concerning the creation, maintenance, use, and disposition of all facility records.

(3) Ensuring all service and program employees are aware of, and abide by, policies outlined in this directive.

(4) Seeking advice and assistance, as needed, from the Facility Records Manager concerning records management problems or concerns.

(5) Ensuring departing employees do not remove Federal records from VHA custody.

NOTE: *Service Chiefs, Program Supervisors, and Managers have differing responsibilities for records created by teleworkers, depending on the teleworker's location. These responsibilities are specified in paragraph 15.*

j. **Records Liaisons.** The Record Liaisons are responsible for:

(1) Working in conjunction with the facility Records Manager to ensure full and proper implementation of the records management program within their respective area.

(2) Maintaining, reviewing and managing their respective service line, program offices, or CBOCs Records Inventory and File Plan and providing updates to the facility Records Manager, at least annually. (For further details, see paragraph 7.d.)

(3) Completing the VA Talent Management System (TMS) course, "Records Management for Records Officers and Liaisons" annually and other required records

management training as directed (see paragraph 12.b), in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA training is available at: <https://www.tms.va.gov>. Additional VHA training for Records Liaisons is available at: <https://myees.lrn.va.gov/default.aspx>; this is an internal VA Web site which is not available to the public.

(4) Reporting the accidental/unauthorized destruction or catastrophic loss of facility records to their immediate supervisor and the facility Records Manager in a timely manner. (See 36 CFR 1230.)

(5) Contacting the facility Records Manager when unscheduled records in any medium are discovered within the facility.

(6) Assisting the facility Records Manager with staff training related to their records management responsibilities, at least annually.

(7) Conducting regular internal record reviews to ensure an effective records management program is maintained for their respective service line, program office or CBOC.

(8) Ensuring departing/terminating employees do not remove any facility records from VHA custody and that they transfer custody of the records to appropriate employee or office prior to being cleared.

(9) Assisting the facility Records Manager with the Vital/Essential Records program, in accordance with the VA-wide program in VA Handbook 6300.2, Management of the Vital Records Program.

(10) Ensuring all inactive record storage locations meet the requirements of 36 CFR 1234, Subpart B, Facility Standards for Records Storage Facilities.

k. **All VHA Personnel.** All VHA Personnel are responsible for compliance to established VHA records management policies and processes within this directive to include:

(1) Cooperating with the facility Records Manager and Records liaisons in creating, maintaining, protecting, and disposing of federal records in accordance with the facility records management program. Assisting with the transfer of eligible records to NARA approved records storage centers.

(2) Completing the VA TMS course, "Privacy and Information Security Awareness and Rules of Behavior" in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA Training is available at: <https://www.tms.va.gov>.

(3) Understanding what constitutes a Federal record and applying VA, VHA, and NARA regulations and guidance to all Federal records.

(4) Ensuring Federal records in their custody are maintained and disposed of in accordance with VHA RCS 10-1 or the GRS.

(5) Reporting the accidental/unauthorized destruction or catastrophic loss of facility records to their immediate supervisor and their service records liaison in a timely manner as required by 36 CFR 1230.

(6) Ensuring proper authorization is obtained before removing records from the facility.

6. MAINTAINING AND USING RECORDS AND INFORMATION

a. **Records Life Cycle.** VHA will manage records throughout their life cycle, which includes the following components:

(1) **Records Creation/Collection.** This is the first stage of the life cycle of records. An official record is created when an item documents VA functions, operations, policies, decisions, procedures, or essential transactions. Records may be created in the medium and format that meets VHA's administrative needs. Consideration must be given, however, to the length of time the records will be maintained to ensure that the information, and the technological methods and devices necessary to decipher it, will be available for its expected life.

(2) **Records Maintenance and Use.** This is the second stage of the life cycle of records. Phases of this stage of the life cycle include filing, retrieving, use, duplication, printing, dissemination, release, and exchange of the records.

(3) **Records Disposition.** This is the final stage of the life cycle of records. The record is either destroyed as a temporary record or legally transferred to NARA as a permanent record.

b. **Use of Information and Records.**

(1) The records and information collected and created by VHA personnel in the conduct of official business belong to the Federal government and not to the employee who initiated their collection or creation. Legal authorization to sell, reassign to another government agency, destroy/erase, or otherwise remove records and information from VHA control must be obtained from the Archivist of the United States, NARA, via the VHA Records Officer.

(2) If records or information are collected or created by VHA in any form or medium, they must not be disposed of (destroyed, erased, loaned, or otherwise removed from VHA custody) without authorization from NARA.

(3) If records or information being collected or created involve a computer matching program, the OMB Guidelines for Computer Matching Programs and VA Handbook 6300.7, Procedures for Computer Matching Programs, apply. **NOTE:** *A computer matching program is any computerized comparison of two or more automated systems*

of records. A matching program covers the actual computerized comparison and any investigative follow-up and ultimate action.

(4) If records or information being collected or created will be received from or provided to other agencies, it may be necessary to establish formal agreements with the agencies involved. Refer to 36 CFR 1228.70 for guidance. The appropriate Records Manager must consult with the facility Privacy Officer to determine the need for a Business Associate Agreement (BAA).

(5) **Privacy Threshold Assessment (PTA), Privacy Impact Assessment (PIA), and System of Records Notice (SORN).** The facility Records Manager must assist System Owners, Information Security Officers, and Privacy Officers in the completion of the "Retention of Information" Section of PTAs, PIAs, and SORNs, as necessary, to ensure that these documents contain accurate information regarding records retention, confirmation of NARA-approved retention schedules and procedures for the disposition of records containing sensitive personal information. The Records Manager must also monitor the completion of the "Policies and Practices for Retention and Disposal of Records" section of System of Records Notices by assisting Privacy Officers when the Privacy Officer is completing this section as necessary.

(6) Prior to transferring, any scheduled permanent records must meet the standards of and be approved by the Archivist of the United States, NARA. Refer to 36 CFR, chapter XII, subchapter B. If the record is unscheduled the record must first be appraised and or approved for transfer by NARA.

(7) If VHA records or information are to be turned over to, or collected, created, maintained, used, processed, or handled in any way by a contractor, Title 41, United States Code, Public Contracts, and 36 CFR, chapter XII, subchapter B, apply.

(8) The records and information of VHA must be protected, used, disseminated, or released only in accordance with applicable Federal laws and regulations.

(9) Duplication, copying, and printing of records, information, and informational products must be done only in accordance with applicable Federal and VA regulations and policies.

(10) The dissemination or release of any records and information within and outside VHA must be in accordance with Federal statutes and VHA policy. In some instances, it may be necessary to maintain sensitive records and information in locked or password-protected files or restricted-access areas for reasons of security.

(11) Electronic media information systems may require special design to maintain appropriate security and confidentiality, particularly when sensitive information is transmitted via standard telecommunications networks. VHA officials must be aware of the sensitivity levels of the information for which they are responsible and must also be aware of the security capabilities of the technologies being used.

(12) Information about an individual that is retrieved by means of that individual's name or personal identifier must be maintained in a system of records in accordance with a published Privacy Act System of Records Notice (SORN) that describes the maintenance of that system. Notices of new proposed routine uses, including proposed computer matching activities, must be published in the Federal Register for public comment prior to implementation. The new use of the information cannot be implemented until at least 30 days after publication of the Notice. Refer to VA Handbooks 6300.4, Procedures for Processing Request for Records Subject to The Privacy Act; 6300.5, Procedures for Establishing and Managing Privacy Act Systems of Records; and 6300.7, Procedures for Computer Matching Programs for guidance.

c. Documenting Official Actions and Activities.

(1) VHA officials are responsible for incorporating into the records of VA all essential information on their major actions. Significant decisions and commitments reached orally or by informal electronic mail should be documented and included in the record. Minutes should be taken at important meetings, and these, together with a copy of the agenda and all documents considered at or resulting from such meetings, should be made part of the record.

(2) The programs, policies, and procedures of VHA should be adequately documented in appropriate directives. The case file of each such directive and supporting documentation, including those superseded, must be maintained as a part of the official files. At the VHA level these official policy documents are maintained in the Office of Regulatory and Administrative Affairs, or successor office.

(3) Papers of a private or nonofficial character that pertain only to an individual's personal affairs that are kept in the office of a VA official must be clearly designated by him or her as nonofficial and must at all times be filed separately from the official records of the office. In cases where matters requiring the transaction of official business are received in private personal correspondence, the portion of such correspondence that pertains to official business must be extracted and made a part of the official files. In the case of e-mails care must be taken not to mix official VA business activities with personal comments and discussion; otherwise, intermixed personal comments may become part of the official government record.

(4) VA officers and employees are generally prohibited from creating or sending a record using a non-official electronic messaging account unless such officer or employee: (1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record, or (2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record. Provides for disciplinary action against an agency officer or employee for an intentional violation of such prohibition (See Pub. L. 113-187, Presidential and Federal Records Act Amendment of 2014). Additional information on this subject can be found in VA Handbook 6301, Procedures for Handling Electronic Mail Records, and VA Directive 6500, Managing Information Security Risk: VA Information Security Program.

(5) In planning the creation of a new Electronic Information Systems (EIS), the life cycle of the records and information must be considered. The appropriate staff, including the facility Records Manager or Program Office Records Coordinator, must be consulted in the initial planning to ensure the records and information created or generated are properly scheduled.

d. **Contingency Records Planning.** The following requirements must incorporate Vital/Essential records management planning as it relates to the facility Continuity of Operations Plan (COOP) per VA Handbook 6300.2 Management of the Vital Record Program. **NOTE:** *National Archives and Records Administration (NARA) has been transitioning from the term Vital Records to Essential Records.* A records management "Risk Assessment" must be conducted as part of the COOP and the Vital/Essential Records plan. A risk assessment is necessary in order to conduct the agency/facilities mission, function and operations, during or after events such as: hurricanes, earthquakes, forest fire, flooding or a technological event. The Records Manager must:

(1) Consult with the facility Emergency Preparedness Coordinator to review the facility COOP and ensure that records management requirements, to include the Vital/Essential Records Plan, are included in the facility COOP. Decide which actions will be taken by the facility Records Manager or Program Office Coordinator, in conjunction and in support of the Emergency Preparedness Coordinator. (See paragraph 5.h.(9).)

(a) Determine records necessary to deliver the minimum level of service and functionality (i.e. the first hour, day, week).

(b) Determine pre-positioned location(s) for Vital/Essential records (paper and electronic) taking into consideration the risks associated with the pre-positioned location(s) for natural disasters.

(2) Test the Plan: A records management risk assessment is a process improvement exercise that should be tested on a regular basis but at least annually.

(3) Test the Contingency Records Plan to determine whether Vital/Essential records were available and were sufficient to operate the facility under other than normal operating conditions.

(4) Consult with the Emergency Management Preparedness Coordinator to determine vulnerabilities and risks. Risk assessment is a continuous process improvement exercise that must be tested on a regular basis, but at least annually.

(5) For additional information refer to VA Handbook 6300.2, Management of the Vital Records Program, and VA Handbook 0320, Comprehensive Emergency Management Program. For additional responsibilities of the Records Manager, see paragraph 5.h.

7. FILE MANAGEMENT

The records and information collected and created by VHA must be maintained in a manner that allows their ready retrieval whenever necessary throughout the approved life cycle of the information. The records maintenance process must include the application of authorized disposal requirements, including the identification and retention of records of permanent value. This is accomplished through the establishment and implementation of files management standards and procedures. VHA will make reasonable efforts to maintain records in formats or media that are reproducible for purposes of Freedom of Information Act (FOIA) actions. (See VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016.) File management includes the following:

a. Textual (Paper) Files.

(1) Standards and procedures must be established for classifying, indexing, labeling, and filing the records and information to ensure their ready access and retrievability for conducting VHA business. All textual records must be filed in appropriately labeled file folders or binders.

(a) Special media, such as photographs, maps, and oversized materials, must be stored in appropriate containers.

(b) File cabinets must be labeled to correlate with the Records Inventory and File Plan.

(c) All records must be maintained either chronologically or alphabetically, and by Fiscal Year (FY) or Calendar Year (CY), depending on the record series.

(d) Personal papers and non-record materials must be maintained separately from official VHA records.

(2) Standardize procedures for retrieval, charge-out, and refiling records and information.

(3) The facility Records Manager or Program Office Records Coordinator is required to monitor active records in all non-monitored unmanned on-site storage spaces as needed to ensure the protection of the records and be able to provide documentation of monitoring for compliance. A Temporary Records Storage Basic Checklist can be utilized for documentation of monitoring of on-site records storage.

b. Electronic Files.

(1) Electronic files are to be organized so that complete records are maintained and can be retrieved efficiently. Files must be organized by Service-line, Department and/or work center in an organized method. The use of a consistent naming convention enhances the ability to locate records.

(2) All electronic records need to be organized on the Share Drive or other VA approved electronic information system by service-line, department and work center. This is considered to be the process of mapping the locally approved Share Drive, SharePoint, etc. folders. It is recommended that this be done as a facility committee that includes the Records Manager, Information Security Office (ISO) and Office of Information & Technology (OI&T) staff.

(3) The records can then be divided by: Permanent, Temporary, convenience copy, and non-record material. **NOTE:** *The records schedules for both permanent and temporary records are found in RCS 10-1 and the NARA GRS.* Convenience copies are items such as VA and VHA often-used directives, handbooks or copies of other organizations' original records being used as a reference. Non-records include copies of journal studies or other online material that the employee may need to study or reference at a later date. Convenience copies and non-records folders must be clearly marked and maintained separate from official VHA records.

(4) Permanent and temporary electronic records must be organized by subject based on RCS 10-1 and NARA GRS. No more than one record type is to be placed in a file folder (i.e. contract files must not be mixed in the same folder as travel claims).

(5) Once the folders have been segregated by subject based on RCS 10-1 and GRS then a file naming convention must be determined. It is suggested that the facility/program office as a whole adopt the same naming convention scheme so that it is consistent throughout the organization. Examples:

(a) Subject title (travel claims), RCS/GRS item number GRS X.X, and FY/CY created.

(b) RCS/GRS item number, CY/FY created, CY/FY to be destroyed.

c. **Review Official Files.** The electronic file structure owner must review official files at least annually to ensure that:

(1) There is no duplication of material, misclassification, and misfiles.

(2) Non-record material is not interfiled with record material, and permanent records are not interfiled with temporary records.

(3) Records can be retrieved efficiently and in a timely manner for conducting VHA business.

d. **Master, Service-line, Department Records Inventory and File Plan.**

A Records Inventory and File Plan is a descriptive listing of each record series or electronic system, together with an indication of location and other pertinent data. Its main purpose is to control the lifecycle of the agency's records and assist with locating vital/essential records which have special recordkeeping requirements.

(1) The complete records inventory/File Plan must include all offices, all records (whether paper or electronic), all locations (including EIS, shared drives, and SharePoint folders), and other electronic storage devices (external hard drives, CD/DVDs). In addition, the inventory must include records maintained in off-site storage (i.e. commercial locations, Federal Record Centers (FRC), and VHA Records Center & Vault (RC&V)), as well as any on-site storage locations within the facility grounds.

(2) While conducting initial records inventory/File Plan and during annual updates, the Records Liaison or person(s) conducting/reviewing the inventory must review all areas, to ensure records are not stored in inappropriate locations, such as under stairwells, basements, maintenance/utility rooms, or outside sheds. These locations do not meet the NARA regulation for storing federal records.

(3) The Records Inventory and File Plan must be maintained by the respective records liaison and facility records manager/program office coordinator for inclusion in the Master Records Inventory and File Plan.

(4) Updates to the Records Inventory and File Plan must be conducted at least annually or in the event of an office changing physical location, dispositioning/destruction of records, or when events change the data in the File Plan. The master facility Records Inventory and File Plan maintained by the facility records manager/program office coordinator must be a current and accurate listing of all facility individual Record Inventories and File Plans.

(5) Steps in Inventorying Records:

(a) Define the inventory's goals (to control the lifecycle of the agency's records and assist with locating vital/essential records which have special recordkeeping requirements).

(b) Define the scope of the inventory; it should include all records whether paper or electronic.

(c) Obtain management's support and keep management and staff informed at every stage of the inventory.

(d) Include the information to be collected (See required elements below).

(e) Determine a format for the records inventory and file plan (i.e. spreadsheet or database).

(f) Decide who will conduct the inventory, and train them if necessary.

(g) Identify where the files are located, both physically and organizationally.

(h) Conduct the inventory.

(i) The facility Records Manager or Records Liaison must verify and analyze the results to ensure correct classification of the record series and proper retention requirements are assigned.

(6) Records Inventory/File Plan Format (Required Elements):

(a) The header must include (at a minimum):

1. Date prepared or Last Review Date
2. Office maintaining the files
3. Person conducting the inventory

(b) The records inventory/File Plan must include (at a minimum) the following elements for each record series:

1. Record Series location
2. Record Series title (as listed in RCS 10-1 or GRS)
3. Inclusive dates (date range)
4. Record Series description (purpose, use, and subject content of the records)
5. Medium (paper, electronic, CD/DVD, etc.)
6. Arrangement (subject, chronological, alpha)
7. Volume (inches, cubic feet, gigabyte, terabyte)
8. Cutoff (FY, CY, or event-driven/triggered event to permit their disposal or transfer)
9. Reference activity (active, inactive)
10. Vital/Essential Record Status (Is it a Vital/Essential Records Yes/No)
11. Duplication
12. (Is record original (created by the record holder) or Copy)
13. Restrictions on Access/Use (i.e. Protected Health Information, Personally Identifiable Information, litigation hold/freeze, Classified)
14. Disposition Authority

8. RECORDS DISPOSITION PROGRAM

a. Goals and Functions.

(1) An effective records disposition program is essential to success of a record management program and is an integral part of VHA's information resources management program. The goals of the records disposition program are to:

(a) Maintain adequate and proper documentation and evidence of VHA activities for the time required to meet programmatic needs.

(b) Retire inactive records to approved storage facilities, providing savings in space and equipment.

(c) Provide timely disposal of records no longer needed for current VHA business.

(d) Preserve records of continuing or enduring value through transfer to the National Archives.

(2) VHA's records disposition program consists of the following functions:

(a) Inventory by record series of all records and information held in VHA offices and in facilities of contractors.

(b) Appraise each series of records and formulate specific disposition instructions per RCS 10-1 and NARA GRS schedules, including retention periods for temporary records, disposal of non-record material, instructions for the retirement of inactive records to offsite storage facilities, and time periods for transfer of permanent records to the National Archives, when applicable.

(c) Obtain approval of the disposition instructions from NARA for unscheduled records.

(d) Apply the approved records disposition instructions to the records of VHA.

b. Records Disposition Schedules.

(1) A records disposition schedule, also called a records control schedule or records schedule, provides mandatory instructions for what to do with records no longer needed for current VHA use. Records disposition schedules are required by statute. All VHA records and information must be identified by records series and listed in a records control schedule.

(2) NARA GRS provides the disposition requirements for records and information that are common to two or more Federal agencies. The disposition requirements of the GRS, including records retention periods, are mandatory VHA-wide unless an exception is obtained from NARA. The GRS does not cover all VHA records.

(3) VHA RCS 10-1 supplements the GRS with VHA-specific schedules covering records that are unique to program administrations and staff offices. Disposition requirements authorized for records and information maintained by VHA are listed in the RCS 10-1, which is developed by the VHA Records Management Program Office. Disposition instructions and retention periods cited in these schedules are mandatory. Citations from the GRS will be used in VHA records control schedules as the authority for disposition of VHA records whenever applicable.

c. **Inventory and Review of Records.** All records including electronic records maintained by VHA must be reviewed at least annually by the office holding them and action must be taken to:

(1) Remove inactive records to local storage,

(2) Transfer inactive records to an approved offsite records storage facility,

(3) Transfer permanent records to the National Archives, and or

(4) Destroy and document the destruction of records, utilizing VA Form 7468, which have reached the term of their authorized retention period.

d. **Destruction of Records.**

(1) VA Form 7468 is used to document the final disposition/destruction for the records stored at VHA facilities, Program Offices, and commercial record centers which have met their retention. VA RC&V uses memorandums and e-mails to certify the destruction of records stored in their facility. NARA Federal Record Centers use form NA-13001 to document the destruction of temporary records in its facilities. The Facility Records Manager for the individual facilities and the VHA Records Officer for VHA Program Offices will maintain a master copy of destruction records for the facility and Program Offices per the GRS schedule in RCS 10-1.

(2) Under 36 CFR 1226 and VA Directive 6371, Destruction of Temporary Paper Records, paper records to be disposed of that do not contain sensitive information must be sold as wastepaper/recycling.

(3) If the records require special protection because they are national security classified or deemed confidential by statute such as the Privacy Act of 1974 or the Health Insurance Portability and Accountability Act of 1996 (HIPAA), other regulation, or VA or VHA policy, the wastepaper contractor must be required to wet pulp, macerate, chop, shred, or otherwise definitively destroy the information contained in the records so that it is not readable and cannot be reconstructed to any degree. The destruction of the information must be witnessed either by a Federal employee or, if authorized by the organization that created the records, a contractor employee may act as a witness. (See VA Directive 6371, Destruction of Temporary Paper Records.)

(4) Silver film (x-ray) records must be sent to the VA Service and Distribution Center (SDC) in Hines, IL, which is responsible for the receipt and recycle of precious metals

and x-ray film for VA. Please refer to [Memorandum 796-13-02, Guidance for Recycling of X-Ray Film and Precious Metals](#). **NOTE:** *This is an internal VA Web site this is not available to the public.*

(5) For audio-visual records, data tapes, disks, etc., refer to VA Handbook 6500.1 Electronic Media Sanitization:

(a) Electronic Media is a general term that refers to media on which data are recorded via an electrically based process. This includes electronic storage media such as floppy disks, CDs, hard disk drives, memory sticks, and audio or videotapes that contain VA sensitive information. Electronic media (or “soft copy”) are bits and bytes located on hard drives, random access memory (RAM), read-only memory (ROM), disks, memory devices, phones, mobile computing devices, and networking equipment. Other examples of electronic media used across VHA facilities may include, but are not limited to copy machines, fax machines, printers, embossing machines, medical devices, and cameras.

(b) VA has a contracted, agency-wide program in place to sanitize and properly dispose of electronic media containing VA sensitive information. ISOs are the points of contact (POC) for this program and facilitate all phases of the program for each Administration and staff office. (See VA Directive 6500, Managing Information Security Risk: VA Information Security Program, dated September 20, 2012, and VA Handbook 6500.1, Electronic Media Sanitation, dated November 3, 2008.)

e. Transfer of Permanent Records.

(1) Permanent (archival) records are defined as records that have been appraised by VA and NARA and approved by NARA to have sufficient historical value or other value to warrant permanent preservation at the National Archives. Those records that have enduring historical or other value and will never be removed from Federal custody. In U.S. Government usage, records and information appraised by VA and approved by NARA as having enduring value because they document the organization and functions of the agency that created or received them and/or because they contain significant information on persons, things, problems, and conditions with which VA dealt, and for which there is no plan for destruction. Federal records storage requirements per 36 CFR 1232 and 1234.

(2) The records control schedule contains information for transferring permanent records to the National Archives. Inactive permanent records may be stored in a NARA FRC for a period of time prior to legal transfer to the National Archives per records control schedules.

(3) Records approved as permanent by the National Archives are transferred as directed by the approved records control schedule when:

(a) VHA no longer needs them for current business.

(b) VHA needs are satisfied by use of the records in NARA research rooms or by copies of the records.

(c) They are 30 years old.

(d) Once records are transferred to National Archives, both legal and physical custody passes from VHA to the NARA.

(4) NARA's Electronic Records Archives (ERA) is a system designed to preserve and manage NARA's electronic records and to manage the lifecycle of paper and electronic records and other holdings, including support for records retention schedules and the accessioning process for all Federal records. Transfers of permanent records held at FRC that have aged out and are ready for the legal transfer to NARA will be projected for transfer in September prior to the new fiscal year. The transfer packages for these records are placed into ERA as part of the annual NARA transfer. The VA Records Officer will receive notification via ERA that VHA records are ready for transfer. The VA Records Officer must contact the VHA Records Officer for concurrence to transfer these records to NARA. Concurrence is based on several factors: Is there a pressing business need to keep the records to meet a mission need? Is there a current litigation hold where there is an immediate need for the records? A litigation hold status alone should not preclude the records being transferred but the concern is the timing of a court ordered production requirement to obtain and provide the record. If the records are transferred to NARA before such a requirement is ordered NARA can produce the records to the courts as well. If the VA Records Officer and the VHA Records Officer do not concur with the transfer of the permanent records they will remain in the FRC. The records will continue to be on the annual move/transfer list until transferred.

(5) If the agency is holding the permanent records in local storage or commercial storage, NARA will not be able to determine if the permanent record is eligible for transfer to NARA. It will fall to the facility's Records Manager or Program Office Records Coordinator to determine if the permanent records are ready for transfer to NARA and communicate this to the VHA Records Officer. The facility's Records Manager should be able to determine if the record is ready for transfer to NARA when doing their annual review of the File Plan and Records Inventory.

(6) If the facility's Records Manager or Program Office Records Coordinator finds that they are holding permanent records that are eligible for transfer to NARA, they must notify the VHA Records Officer. The VHA Records Officer will enter the information from the SF-258 worksheet into the NARA ERA system. Once in the ERA system the VA Records Officer will approve the records for transfer and forward their recommendation to transfer the records to NARA. NARA and the facility will then arrange for the records to be transferred to a NARA facility. To alleviate the responsibility of managing and tracking the transfer of permanent records from local or commercial storage to the transfer of the NARA, the facility must endeavor to transfer all permanent records to a NARA FRC prior to the required transfer date to NARA. This will allow NARA to project out future storage requirements and notification of transfer to the agency.

f. Transfer of Records Subject to Restrictions.

(1) If records transferred to a NARA records storage facility are subject to special restrictions (confidential, secret, top secret and privacy), administration and staff office Records Officers must forward a justification and cite the statute or FOIA exemption that authorizes restrictions on the use or examination of the records to the VA Records Officer (005R1B). (For more information on potential VHA privacy restrictions, see VHA Directive 1605.01, Privacy and Release of Information, dated August 31, 2016.) That official will send the request to NARA and if NARA agrees, restrictions will be placed on the records.

(2) Records transferred to a NARA records storage facility that are subject to the Privacy Act must be accompanied by the most recent privacy act notice covering the records.

g. Temporary Extension of an Approved Disposition Authority. Program audits, litigations, investigations, or other special circumstances may require the retention of certain records beyond their scheduled destruction date. If an extension of an approved disposition authority is necessary, administration and staff office Records Managers will forward to the VHA Records Officer (10A7) a description of the records, the records control schedule governing the disposition, the estimated length of the extension, and the location of the records. The VHA Records Officer will request approval from NARA.

h. Record Disposition Procedures When Closing a VA Facility.

(1) Upon notification of facility closure or disestablishment, the facility director must take steps to safeguard the records of the facility. Facility Leadership must collaborate with the facility Records Manager, Privacy Officer, Service Line Managers and Department Heads to:

(a) Conduct an inventory of all records held by the facility and or review all Record Inventories and File Plans to ensure they are up to date.

(b) Determine which records can be destroyed per RCS 10-1 and GRS schedule. See VA Directive 6371 for destruction of paper/textual records and VA Handbook 6500.1 for electronic records.

(c) Determine which records can be transferred to an FRC. The FRC must be contacted to determine the method and plan to process the facilities records.

(d) Transfer all active contract files and pending action records to the supporting VISN or next higher Program Office for the continued administration and close out.

(e) Copies of all VA Forms 0244's, VA Form 7468, SF-135's, NARA form NA-13001 and facility inventories must be forwarded to the VHA Records Officer.

(2) Blueprints, architectural drawings, certain photographs, reports, correspondence, etc., are considered maybe permanent records based on historical value. The Federal

Records Act requires that these records be forwarded to the National Archives when no longer needed.

(3) Some records are not considered permanent but they are of significant historical or artifact value to VA historians. Prepare a preliminary list of what types of records are at the facility, then contact the VA Federal Preservation Office and the VHA administration historian to ensure that vital/essential records are preserved. This takes time, so build this process into the closing/demolition timeline.

(4) When transferring a facility to another owner such as another federal, state, or local agency, the Facility Records Manager must provide that agency with copies of blueprints, drawings, etc. The Facility Records Manager must coordinate with the VHA Records Officer; the transfer of major copies of historical blueprints and drawings to the National Archives.

9. TYPES OF RECORDS

a. Permanent Records.

(1) VHA records which are determined and approved by NARA to be permanent must be available in a medium and format that conforms to the standards for permanent records.

(2) VHA permanent records must be offered to the National Archives at the earliest possible time, when they cease to be needed for the conduct of day-to-day business. If the offer is accepted, immediate action must be taken to transfer the records.

(3) VHA records that are more than 30 years old and have not been appraised or reappraised since 1990 must be offered to NARA as permanent records, or their continued retention by VHA must be justified in appropriate records appraisal documentation.

b. Temporary Records.

(1) Temporary records must be maintained and disposed of only in accordance with an approved VHA records control schedule or GRS. Records classified as temporary may not be retained beyond their authorized retention period; nor may they be destroyed or otherwise disposed of prior to the end of their authorized retention period.

(2) Temporary records must be clearly identified through labeling and indexing, and will not be interfiled with permanent records or with non-record material.

(3) Temporary records eligible for disposal must be removed from active files annually for further retention in inactive file areas or destruction, if applicable, and their disposal will be documented.

c. Unscheduled Records. These records must be retained until a disposition authority is received from NARA.

d. Electronic Mail Records.

(1) All VHA employees must use .gov email addresses to conduct government business. Exceptions include man-made or natural emergencies that limit or block the VHA employee from having email network access. When this happens, the employee must either copy their government email account when using private accounts, or print the email, place it in a folder, and maintain it as a government record as required by RCS 10-1 or GRS record schedules. **NOTE:** *If personal email is used during emergent events, care must be taken not to place personally identifiable information (PII) or protected health information (PHI) in employees' personal email accounts.*

(2) Auto-forwarding of government email messages to personal email accounts is strictly prohibited.

(3) All VHA employee emails must be maintained as records based on the content of the email itself (subject driven). The employee must apply the records schedule to emails based on their subjects found in VHA RCS 10-1, GRS.

(4) Instant Messaging (IM) via Outlook is a Federal record when it is used to conduct government business. Instant Messaging "records" are to be managed using the Outlook conversation history folder and maintained the same as email records, with retention per VHA RCS 10-1 and GRS. **NOTE:** *Additional information on this subject can be found in VA Directive 6301, Electronic Mail Records, VA Handbook 6301, Procedures for Handling Electronic Mail Records and VA Handbook 6500, VA Information Security Program.*

e. Electronic Records.

(1) As noted in paragraph 3, electronic records are a category of machine-readable records in which the information is represented by electronic impulses on a magnetic medium, such as magnetic tape, disk, or diskette, and which requires the use of specialized equipment to convert the information to human-readable form. (See NARA regulations, 36 CFR 1236.) Electronic records include any information that is recorded in a form that only a computer can process and that satisfies the definition of a Federal record. Federal electronic records are not necessarily kept in a "recordkeeping system" but may reside in a generic electronic information system or are produced by an application such as word processing or electronic mail.

(2) Computer files which constitute permanent records should be transferred to the National Archives as soon as possible. Guidelines on the types of potentially permanent electronic records and special handling, storage and preservation problems can be found in the [Universal Electronic Records Management \(ERM\) Requirements](#).

(3) Personal email accounts must not be used to conduct VA, VHA, or other Federal government business. (See Pub. L.113-187 and paragraph 8.d.)

f. Audiovisual, Cartographic and Architectural Records.

(1) Certain categories of audiovisual, cartographic and architectural records are of permanent, historical value, and will be scheduled for transfer to National Archives as soon as they become inactive or whenever VHA cannot provide the proper care and handling of the materials to guarantee their preservation.

(2) Requirements for audiovisual, cartographic and architectural records management can be found in 36 CFR 1237.

g. Microform Records Types.

(1) Microfilm 16 mm or 35 mm film to motion picture standard is usually unperforated. Roll microfilm is stored on open reels or put into cassettes. The standard lengths for using roll film are 30.48 m (100 ft.) for 35mm rolls, and 100 ft., 130 ft. and 215 feet for 16mm rolls.

(2) Aperture cards are Hollerith cards into which a hole has been cut. A 35 mm microfilm chip is mounted in the hole inside of a clear plastic sleeve, or secured over the aperture by an adhesive tape. They are used for engineering drawings for all engineering disciplines.

(3) Microfiche A microfiche is a flat film 105 x 148 mm in size that is ISO A6. It carries a matrix of micro images. All microfiche are read with text parallel to the long side of the fiche. Frames may be landscape or portrait. Along the top of the fiche a title may be recorded for visual identification. The most commonly used format is a portrait image of about 10 x 14 mm.

(4) Ultra-fiche (also 'ultra-microfiche') is an exceptionally compact version of a microfiche or microfilm, storing analog data at much higher densities. Ultra-fiche can be created directly from computers using appropriate peripherals.

h. Vital/Essential Records.

(1) **Identifying Essential Records.** VHA Program Offices, VISNs, and all VA medical facilities are required to identify and maintain vital/essential records to sustain the continuity of VHA activities during and following a natural or technological disaster, and to protect the rights and interests of VA beneficiaries and employees. Medical facilities and program offices must determine their most critical functions and identify the records necessary to conduct business under other than normal operating conditions and to resume normal business afterward. **NOTE:** *NARA is transitioning from the term Vital Records to Essential Records.* VHA Vital/Essential Records are categorized into two groups, as described below:

(a) **Emergency Operating Records (Category A).** Emergency Operating Records are required by VA medical facilities senior leadership, emergency management coordinator, and other persons as determined by the facility Director or Incident Command Center. Category A records assist with accomplishing essential functions during and immediately following a natural or technological disaster. These records can be in paper format to avoid reliance on electronic or other special equipment. Category

A records are commonly located in an Emergency Management Plan maintained by the Emergency Management Coordinator, with hard copies also pre-positioned at each emergency relocation site. Examples of Emergency Operating Records:

1. Emergency Plans and Directives (Continuity of Operations Plan - COOP)
2. Order of succession
3. Delegation of Authority
4. Staffing assignments
5. Employee call-back rosters
6. Records of a policy or procedural nature that provide staff with guidance
7. Information resources necessary for conducting operations during an emergency and for resuming normal operations at its conclusion

8. **NOTE:** *If it is necessary to use non-paper media, such as an electronic record for Category A records, both the equipment required to read or recover the record and its power source must be readily accessible under other than normal operating conditions. Refer to VHA Directive 0320 Comprehensive Emergency Management Program, dated April 12, 2017; VHA Directive 320.01, VHA Comprehensive Emergency Management Program (CEMP) Procedures, dated April 6, 2017.*

(b) Legal and Financial Rights Records (Category B). Legal and Financial Rights Records are the type of essential records needed to protect the legal and financial rights of individual citizens and the Government. They are required to carry out VHA's essential functions after a period of immediate emergency. Category B records require safeguarding, but are not necessary immediately following an emergency. As such, record storage does not have to be at or in the vicinity of the emergency relocation sites, and the records do not have to be solely in paper form. Examples of Legal and Financial Rights Records:

1. Construction Contract Records, New files, Additions, Changes (including real estate leases)
2. Patients' and Members' Accounts, whether Active or Inactive during the year
3. Personal Funds of Patients
4. General Post Fund, VA Form 10-1083
5. Patient Data Card Listing File
6. Daily Gains and Losses Sheets File
7. Payroll Records

8. NOTE: *Many of the essential records noted in VA Handbook 6300.2/1 are no longer maintained in paper format and are now part of electronic information systems (EISs). These records may be stored and backed up at multiple locations, precluding the need to print hard copies and mail the essential records to an off-site record storage facility (i.e. RC&V) for safeguarding.*

(c) Examples of records maintained in electronic format.

1. Facility Daily Gains & Losses (G&L), RCS 10-1, Item 1100.38: Reports are maintained electronically, backed up to the network nightly at each VISN, and are no longer required to be sent to the VHA Records Center & Vault (RC&V).

2. Civil service payroll records: Maintained electronically by Defense Finance & Accounting Service (DFAS) and are not required to be maintained in paper format.

(2) The Records Manager and the Emergency Management Coordinator must collaborate to determine the best method of maintaining the Vital Essential records at alternate locations in order to ensure the availability of the records during and immediately following a natural/technological disaster. Consideration must be given as to the media in which the records are currently created and maintained, as well as the process for backing up the records.

(3) Records can be found in multiple media, such as textual (paper) or electronic information systems. Either is adequate for the purposes of Essential Records Program. Both have advantages. Paper can be easily located but physically takes up needed space for other operational considerations. Electronic information systems can be used if there are structured backups and updates as required, in order to keep data fresh and current. Obvious concerns include uninterrupted electric power, electrical magnetic pulse and other disruptions of electronic information systems. In all cases, care must be taken to identify locations of electronic data by server locations, web portals, and concerns regarding adequate security of PII/PHI and password integrity. All should be reflected on the Records Inventory and File Plan.

(4) The mandatory procedures for managing a VHA vital/essential records Program can be found in 36 CFR 1223, Managing Vital Records, VA Handbook 6300.2, VHA Directive 0320, Comprehensive Emergency Management Program, dated April 12, 2017, and VHA Directive 0320.01, VHA Comprehensive Emergency Management Program (CEMP) Procedures, dated April 6, 2017.

(5) The Facility Records Manager/Program Office Coordinator must:

(a) Implement a process whereby facility/program offices ensure that their essential records are included in emergency planning.

(b) Implement processes to conduct a thorough records inventory of the facility/program office to document records being created and maintained.

(c) Collaborate with Records Liaisons and staff members to determine which records are Essential records and list the records on their respective inventory and File Plan.

(d) Create and implement an Essential Records Plan to include the following items:

1. Record Series
2. Category of Record (A or B)
3. Service/Program Office maintaining the record
4. Location (Bldg./Room #)
5. Media/Format of record (electronic/paper)
6. Whether record is maintained at relocation sites (if necessary)
7. Whether record is accessible at an alternate location, in order to conduct business during other than normal business operations

(e) Maintain a master facility/program office Records Inventory and File Plan, which includes Essential Records, with hard copies of the Records Inventory and File Plan readily available for contingency plan.

(f) Ensure the master facility Essential Records Inventory and File Plan is reviewed and updated annually.

(g) Complete an Essential Records Review Checklist Annually.

(h) Monitoring & Safeguarding Vital/Essential Records.

(i) Develop and implement a process to review and analyze service line/program office Records Inventories and File Plans, annually, to ensure identified essential records are correctly categorized and their location is updated, if necessary.

(j) Implement a process of reasonable safeguards to ensure the records are adequately protected, up-to-date and accessible to staff who need them. Ensure they are stored at emergency relocation sites or alternate locations, if necessary. If electronic, ensure that the relocation site or alternate location has the equipment/software. Both the equipment required to read or recover the record and its power source must be readily accessible under other than normal operating conditions.

(k) Implement a process for conducting reviews during records management rounds and during the annual update process to ensure Essential records are adequately maintained and readily accessible.

(6) **Documentation.** Facility Records Managers/Program Office Coordinators must maintain documentation to show compliance with monitoring and safeguarding of

Vital/Essential records. See VHA Directive 6300.01, Records Management Compliance Monitoring, dated August 17, 2017, for compliance requirements

i. **Records of Historical Value.** Records of Historical Value are records that are not designated as permanent in RCS 10-1 but are determined to be of unusual importance or to have exceptional historical significance or interest to the origins and history of the Department of Veterans Affairs. NARA may reclassify these records from temporary to permanent due to the records' historical value. If NARA does not reclassify these historical records, the VHA facility Records Manager or Program Office Records Coordinator, along with the VHA Records Officer must offer the VHA Historian an opportunity to review the records for final determination. Generally, records of earlier date are of more significance than records of later date. This can be due to historical change in the functions and activities of the creator of the records, the scarcity of earlier records, a change in recordkeeping practices, or a combination of these. Age can be a factor in records of historical value. The VHA Historian must provide a letter stating that the Records are of historical value to VHA. The letter will act as documentation for the Facility Records Manager to remove the record from their File Plan/Records Inventory. Examples of historical records can include such records as:

(1) Records, log books or records from the original Veterans' homes established by the states after the Civil War.

(2) Building drawings from old Veterans homes that were once on the campus of newer VA facilities.

(3) Records that support and promote the preservation and use of America's documentary heritage essential to understanding our democracy, history, and culture of Veterans in the United States.

(4) Records of substantial public interest because of direct association with famous or historically significant people, places, things, issues, or events.

(5) Records that provide, significance as documentation of the formulation of policy at the highest executive levels when the policy has significance and broad effect throughout or beyond the agency or institution. **NOTE:** *For questions regarding the historical value of a record, contact the VHA Records Officer or VHA Historian. If the facility is maintaining an onsite museum with records within the museum collection the facility Records Manager should contact the VHA Historian and VHA Records Officer for disposition of the records. A list of museums and their content will be maintained by the VHA historian. Maintain possible historical records separate from active records until a determination has been made to their value.*

10. SUBMISSION AND APPROVAL OF REQUESTS FOR DISPOSITION AUTHORITY

a. At times, the Facility Records Manager may determine that the correct records schedule cannot be found for a type of record that they maintain in their facility. In addition, it may be determined that a current records schedule in RCS 10-1 or GRS no longer meets the required records schedule needed for the facility.

b. **Finding a Records Schedule.** Prior to contacting the VHA Records Officer, the Facility Records Manager must make all efforts to find a correct records schedule for their records. This is done by:

(1) Reviewing RCS 10-1 for the correct records schedule.

(2) Reviewing the NARA Web site listing of all GRS to determine if one of them meets record disposal requirements.

(3) Check the Records Management “Question & Answer” section of the Health Information Management (HIM) SharePoint site.

https://vaww.vha.vaco.portal.va.gov/sites/HDI/HIM/vaco_HIM/SitePages/Home.aspx

(4) Finally, if the Records Management Council is unable to answer the question guidance will be sought from the VHA Records Office. At this point the VHA Records Officer and the VHA Program Officer for the area which the record type resides will determine the next steps. If it is determined that this is a new record type with no existing records disposition schedule or/and an outdated records schedule, the records schedule process will begin. Request a new records schedule if needed.

c. **Creating a Records Schedule.** Until 2010, Records Officer and Records Managers used the SF-115 to create or update agency record schedules. In 2007, the National Archives and Records Administration created the Electronic Records Archives (ERA). Within ERA, agencies are allowed to create new records schedules. The VHA Records Officer uses the SF-115 as a work sheet prior to placing the new records schedule into ERA.

(1) Normally agencies initiate changes to agency records schedules. There are times when NARA initiates a change in the records schedule via ERA when doing one of the following:

(a) Carrying out projects to schedule records that have not been scheduled or reduce apparently excessive retention periods. These projects often involve agency records stored in FRCs.

(b) Proposing for disposal records which are already a part of the National Archives' holdings but reappraised and determined no longer to have sufficient value for continued preservation.

(2) If NARA initiates the change to VHA's records schedule, it still must obtain VA's written concurrence before final approval. If VHA initiates the change to the records schedule in ERA, it needs to follow carefully the guidance given in this chapter.

(3) The VHA Records Officer uses the SF-115 form as a worksheet to change a records schedule. The VHA Program Office or Facility Records Manager will assist the VHA Records Officer completing the draft SF-115 worksheet which is used to complete the fields in the NARA ERA. To complete the SF-115 properly, follow the general and specific instructions given in this chapter and on the back of the form. Carry out any

new or revised instructions announced in NARA bulletins or incorporated into NARA regulations.

(4) The VHA Records Management Program Office will maintain a case file to maintain the documentation collected from various program offices and e-mail between VHA Records officer, Facility Records Managers, Program Office leadership and NARA.

d. **General Instructions for Scheduling Records.**

(1) An SF-115 is required for all records not scheduled by the GRS and all records scheduled by the GRS for which the agency needs a different retention period. There are various ways in which this form is used:

(a) Schedule recurring records as temporary or permanent.

(b) Schedule nonrecurring records as permanent. Such nonrecurring permanent records are normally excluded from the agency's published schedule.

(c) Schedule nonrecurring records for disposal. Sometimes called items on a disposal list, such records are normally excluded from the agency's published schedule if they are ready for immediate disposal.

(d) Convert paper records or other originals (source documents) to microform records, and then destroy the originals if the originals are unscheduled or scheduled as permanent. No SF-115 is required if the originals to be converted to microform are already scheduled for disposal.

(2) If an agency automates its recordkeeping system, a SF-115 is required for disposition authority unless the resulting electronic records are already disposable/dispositioned under the GRS.

(3) The VHA Records Management Officer submits the change to the records disposition schedule via ERA. **NOTE:** *The Blank SF-115's worksheet may be obtained from HIM RM web-site or from the NARA web-site: <http://www.archives.gov/records-mgmt/faqs/pdf/sf115.pdf>.*

(4) **Description and Added Information.** Describing records properly on the SF-115 makes it easier to determine their disposition. Furnishing additional information can speed NARA's approval of the SF-115. Adequate, clear, and accurate descriptions aid in implementing an approved schedule.

(5) **Importance of Describing Records Properly.** It is important to describe clearly and accurately each record series or each part of an information system listed on the SF-115. This task is much easier if the agency has properly inventoried its record holdings. The following guidelines are useful in describing series or systems under entry 8 of the SF-115:

(a) Describe and title a series or system by the subject or function to which it relates.

(b) Consider using a single schedule item to cover several closely related temporary series if the records will have the same retention period. If not, then subdivide the schedule item.

(c) In scheduling the records in an electronic information system, describe all input records (source records), all information recorded on electronic media, all output records, the documentation associated with the system, and any related indexes. Propose a specific retention period for each of these.

(d) Identify each potentially permanent series as a separate schedule item.

(e) Elaborate on any sampling criteria and procedures for selecting files within a series for permanent retention.

(f) Identify reports as statistical or narrative and indicate their frequency.

(g) Describe correspondence files more precisely as "program subject," "reading," or the like.

(h) Instead of form numbers alone, use "such as" before the form number or use "forms relating to." Otherwise, changing form numbers can void disposition authorizations.

(i) Consider ending a long description with words such as "related records" or "equivalent forms" if appropriate, provided the preceding description is adequate.

(6) **Need for Additional Information.** Besides describing each item, agency records managers should include additional information to help in the appraisal process. They should assess the value of the records, describe the functions reflected in them, indicate any duplication of content, and document the relationship between that content and information maintained elsewhere in the agency. They should also indicate if the series is a Privacy Act system of records. Above all, they need to provide on, or with, the SF-115 the following information about permanent records:

(a) The initial date, arrangement, and total volume of each schedule item proposed as permanent.

(b) In functional schedules, the current organizational location of each series and system.

(c) The transfer date and annual accumulation of recurring records proposed as permanent.

(d) Any access restrictions consistent with the Freedom of Information Act that are to be imposed by NARA on records proposed for immediate transfer. Such restrictions include security-classified information.

(e) Finally, if nonrecurring records are proposed on an SF-115 for immediate destruction or for immediate transfer to the National Archives, it is necessary to indicate both their volume and inclusive dates, along with any applicable NARA records center accession and box numbers.

e. **Importance of Instructions on Record Cutoffs and Transfers.** SF-115's should include instructions for cutting off records and, if appropriate, for transferring them to agency holding areas or records centers for temporary storage and to the National Archives for archival preservation. Agencies may issue general instructions applicable to all their records with a particular retention period, incorporate specific instructions into each schedule item, or issue general instructions applicable except where unique cutoff and transfer instructions are included in individual schedule items.

(1) **Record Cutoffs.** All record series need to be cut off, or broken, before the approved disposition can be applied. In other words, the retention period normally does not start until the records have been cut off. Each agency should provide guidance to users on when to cut off records having a particular retention period. Cutoffs involve ending the old files and starting new ones at regular intervals. Unless unusual volume or other circumstances create a need for different cutoffs, the agency should consider following cutoffs at either end of fiscal year (FY) for financial records or at the end of calendar year (CY) for all other records.

(2) **Transfers.** Temporary Agency records, with short retention periods, stored in office space can be destroyed locally because their need for high reference activity or short retention periods of less than 4 years may make transfer unnecessary or inappropriate. But semi-current records with longer retention periods and low reference activity may be suitable for transfer to storage facilities for temporary storage. Permanent Records are scheduled for transfer to the National Archives, either by direct accession from a VHA facility or from a Federal Record Center storage. Special care must be taken to track permanent records stored in commercial storage facilities to ensure that they are legally transferred to NARA at the end of their disposition. The timing of the transfer to the National Archives should normally be within 30 years for paper records, within 5-10 years for audiovisual, and microform records. Permanent electronic records that become inactive or the agency cannot meet maintenance requirements for them must be transferred to NARA. The VHA Records Office shall provide assistance and instructions on all such transfers. For information on transferring records to NARA records centers, VHA Facility Records Manager should consult the NARA web-site for instruction on how to transfer records to records centers.

f. **Submitting a Schedule for NARA's Approval.**

(1) The SF-115 is used as a work sheet to create a records schedule within VHA. Once the SF-115 is completed and reviewed by the following offices in VHA: Program Office owning the record type, VHA Records Officer, and Director of Health Information Management, the Package is placed into Veteran Administration Intranet Quorum (VAIQ) for tasking to the Office of General Counsel and the VA Records Officer.

(2) Once the SF-115 has been reviewed and approved as described above, it is placed in the NARA Electronic Records Archives (ERA) program for NARA review and concurrence.

(3) While processing the SF-115, NARA takes one or more of the following actions:

(a) Consultation and Examination. After reviewing the ERA records schedule module for completeness, NARA appraisers may need to consult with agency officials and either see samples of the records or examine them at the agency or a records center.

(b) Publication of Disposal Notices in the Federal Register. According to Federal law (44 U.S.C. 3303a(a)), NARA must publish in the Federal Register a notice of agency requests for the disposal (i.e., destruction or donation) of records. If NARA has previously approved disposal of the records covered in an agency request, a notice is published only if the proposed retention period is shorter. The publication of these notices allows interested persons to submit written comments on the records to NARA before disposal is approved or else reapproved with a shorter retention period.

(c) Changes in Disposition Requests. To improve clarity and accuracy, the NARA appraiser may make changes to completed records schedules but only with the agency's approval. Minor changes, such as renumbering the items or correcting punctuation or typographical errors, require only the agency's oral approval. Major changes, such as modifying the description or the disposition instructions, require the agency's written approval.

(d) Withdrawn Requests. If both the agency and NARA agree to withdraw an entire records schedule in ERA or individual's items, NARA will mark the job or the items "withdrawn" and request a new records schedule in ERA if the records require scheduling.

(e) Disapproved Requests. If NARA disapproves an entire records schedule in ERA, it will reject the records schedule within ERA. The agency will be able to see the schedule but it will be "grayed" out, and no change will be able to be made. Sometimes disagreements or revisions result in a substantial delay in approving an entire schedule. In such instances, NARA stamps the questionable items "disposition not approved" to the agency with a letter requesting submission of a records schedule in ERA covering the disapproved items. Normally the agency should submit the new records schedule within 6 months.

(4) Once a record schedule is approved the VHA Records Management Office will:

(a) Announce the new records schedule at the monthly National Records Management meeting.

(b) Post the new records schedule on the VHA HIM/RM web-site.

(c) Send an e-mail to the functional e-mail account for VHA Facility Records Manager as a "Public Service Announcement".

(d) Update RCS 10-1 upon the next update.

(e) The new records schedule will be placed on the NARA web-site for all Department of Veterans Affairs approved record schedules.

11. TRANSFER OR LOAN OF VHA RECORDS

a. Loan of Permanent and Unscheduled Records to Federal and Non-Federal Agencies.

(1) Permanent or unscheduled records are not to be loaned to other Federal agencies or non-Federal recipients without prior written approval from NARA. Administration and staff office Records Officers and proposed recipient will submit a written loan agreement to the VHA Records Officer who will provide the first endorsement to the VA Records Officer (005R1B) for submission to NARA for approval (36 CFR 1228). The agreement must, in writing on facility letterhead, include:

(a) The name of the organization having custody of the records.

(b) The name and address of the proposed recipient of the records.

(c) A listing containing:

1. Identification of the records to be loaned, by series or system.

2. The inclusive dates for each series or system.

3. The volume and media of the records to be loaned.

4. The NARA disposition job and item numbers covering the records from RCS 10-1 or General Records Schedule (GRS).

(d) A statement of the purpose and duration of the loan.

(e) A statement specifying any restrictions on the use of the records and how these restrictions will be imposed by the recipient.

(f) A certification that the records will be stored in areas with security and environmental controls equal to those specified in 36 CFR 1234.

(g) A signature block for the Archivist of the United States. The loan must not take place until the Archivist has signed the agreement.

(2) On request, NARA may allow VHA to prepare an annual loan agreement covering multiple transfers from the same series of records to another single Federal agency.

(3) VHA must send a written request to NARA, Modern Records Programs (NWM), transmitting the proposed loan agreement, citing the rationale for not providing copies in place of the original records, and specifying the name, title, and phone number of an agency contact. The request must be submitted or approved by the individual authorized to sign records schedules, as described in 36 CFR 1220.34 (b).

(4) NARA will review the request and, if it is approved, return the signed agreement to the agency within 30 days.

(5) NARA will notify the agency in writing if it disapproves the loan and the reasons for the disapproval of the loan. NARA will deny the request within 30 days if the records are due or past due to be transferred to the National Archives of the United States in accordance with 36 CFR 1235, if the loan would endanger the records, or if the loan would otherwise violate the regulations in 36 CFR Chapter XII, subchapter B.

(6) VHA must contact the recipient of loaned permanent or unscheduled records 30 days prior to the expiration of the loan period (as stated in the loan agreement) to arrange for the return of the records. If the agency extends the duration of the loan, it must notify NARA (see 36 CFR 1228.12(b)) in writing on facility letterhead, specifying the reason for the extension and providing the new expiration date of the loan.

(7) Loan of temporary records between VHA and non-Federal recipients does not require approval from NARA. The lending agency is responsible for documenting the loan and return of the records.

b. Transfer of Records from VHA Custody to Another Federal Agency.

(1) NARA must approve in writing the transfer of all records from the custody of VHA to another Federal agency. Administration and staff office Records Officers will submit a written request to the VHA Records Officer who will review the package and forward it to the VA Records Officer (005R1B) for submission to NARA, Modern Records Programs (NWM), for approval (36 CFR 1231). The following information must be included in writing on facility letterhead:

(a) A concise description of the records to be transferred, including the volume in cubic feet, gigabyte, terabyte etc.

(b) A statement of the restrictions imposed on the use of the records.

(c) A statement of the agencies and persons using the records and the purpose of this use.

(d) A statement of the current and proposed physical and organizational locations of the records.

(e) A justification for the transfer including an explanation of why it is in the best interests of the Government.

(f) Copies of the concurrence in the transfer by the heads of all agencies involved in the proposed transfer.

(2) Records can be transferred between VHA and other Federal agencies without NARA approval (36 CFR 1231.18) only when:

(a) Records are transferred to a NARA or agency-operated records center or to the National Archives of the United States in accordance with 36 CFR 1232, 1233, and 1235.

(b) Temporary records are loaned for official use.

(c) The transfer of records or functions or both is required by statute, Executive Order, Presidential reorganization plan, or Treaty, or by specific determinations made thereunder.

(d) The records are transferred between two components of the same executive department.

(e) Records accessioned into the National Archives of the United States are later found to lack sufficient value for continued retention in the National Archives and must be destroyed. The disposition of such records is governed by CFR 1235.34.

12. TRAINING

i. **Facility Records Manager and VHA Program Office Records Coordinator.** The Facility Records Manager and VHA Program Office Records Coordinator must:

(1) Complete the VA Talent Management System (TMS) course, "Records Management for Records Officers and Liaisons" annually and other required records management training as directed, in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** *VHA Training is available at: <https://www.tms.va.gov>.* It is strongly recommended that the facility Records Manager and Program Office Records Coordinator take the NARA Records Management Training to receive a Certificate of Federal Records Management Training.

(2) Complete additional records management training which can be found in the VHA Employee Education System at <https://myees.lrn.va.gov/default.aspx>. **NOTE:** *This is an internal VA Web site which is not available to the public.* In addition, complete additional training at the [NARA YouTube National Records Management Training Program playlist](#).

(3) Implement a process to create and provide training for Records Liaisons and/or facility staff to address records management training deficiencies. This training may include, but is not limited to, PowerPoints, emails with public service announcements, desk references, or face to face training. This training must be well-documented.

(4) Implement a process to ensure all employees complete the VA Talent Management System (TMS) course, "Privacy and Information Security Awareness and Rules of Behavior" in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA Training is available at: <https://www.tms.va.gov>.

j. **Records Liaisons.** Records liaisons must:

(1) Complete the VA Talent Management System (TMS) course, "Records Management for Records Officers and Liaisons" annually and other required records management training as directed, in order to fulfill the annual NARA training requirement of 36 CFR 1222.24(b). **NOTE:** VHA Training is available at: <https://www.tms.va.gov>. Additional VHA training for Records Liaisons is available at <https://myees.lrn.va.gov/default.aspx>; this is located on an internal VA Web site which is not available to the public.

(2) Complete additional records management training provided by the Facility Records Manager or Program Office Records Coordinator, as required by local facility policy.

13. RECORDS STORAGE

a. **Procedures for Retirement/Transfer of Records to Offsite Storage Facilities.** All VA medical facilities, program offices, and VISNs are required to maintain and store many different types of VA records. The Facility Records Manager is responsible for ensuring that all records storage locations that the facility uses meet the NARA requirements for records storage. These records may include but are not limited to: patient and employee health records, financial records, facility drawings, and research protocol records.

(1) Records that can be retired may be relocated to the following offsite record storage facilities. The disposition authority for retirement must be cited in appropriate records control schedules.

(a) The VA Records Center and Vault (RC&V), located at 11693 Lime Kiln Drive, Neosho, Missouri 64850-1959. The RC&V maintains large holdings of VHA records. Access to the RC&V Records Retrieval System (RRS) is managed and operated by the Austin Information Technology Center.

(b) NARA records storage facilities, FRCs, located throughout the United States. These facilities are managed and operated by NARA.

(2) The storage facilities referenced above are specifically designed and equipped to store records in an efficient and economical manner saving both space and money. VHA retains custody and controls access to and destruction of records stored at RC&V and the FRCs.

(3) Field facilities, administrations and staff offices interested in retiring/transferring records to the RC&V should refer to VA Handbook 6300.8, Procedures for Shipment of

Records to the VA Records Center and Vault in Neosho, Missouri. This Handbook provides instructions for entering requests for an accession number (VA Form 0244), record retrieval process (VA Form 0245), list of necessary supplies, as well as packing and shipping instructions.

(4) Field facilities, administrations and staff offices interested in retiring/transferring records to the NARA FRCs should refer to the NARA web site, archives.gov. The web site provides instructions for utilizing Archives & Records Centers Information System (ARCIS) to enter requests for an accession number (SF-135), record retrieval process, list of necessary supplies, as well as packing and shipping instructions.

(5) Prepare records for transfer.

(a) Records transferred to NARA records storage facilities must have a final disposition established by either a NARA-approved records disposition authority or a schedule pending approval. Before preparing the records for transfer, all non-record material and extra copies must be removed, and records must be separated into series. A series is defined as a "block of records having the same disposition authority and same disposition date". Each item or subordinate item in the records control schedule represents a series. The records must be identified and sorted into blocks (series) by item number and cut-off date.

(b) Records whose disposal date has passed must not be sent to a NARA records storage facility. Such records must be disposed of locally according the VA Directive 6371.

(c) Each series of records must be transferred as a separate accession.

(d) Mixed record series cannot be placed in the same accession. For example, contract files cannot be placed in the same accession as facility real property records. Each of these records types have different record retention schedules.

b. VHA Records Storage Requirements.

(1) The requirements for records storage are determined by NARA in 36 CFR 1234. Due to the technical nature of 36 CFR 1234, if further clarification is needed, it is suggested that VA medical facility Records Managers refer vendors, facility engineering and safety managers to the NARA standards. VHA records storage can be divided into 6 categories:

(a) Inactive records, off-site storage

(b) Inactive records, on-site storage

(c) Active records, off-site storage

(d) Active records (low-usage), on-site storage

- (e) Active records (high-usage), on-site storage
- (f) Temporary/transit records storage

(2) Inactive Records, Off-Site Storage.

(a) These are records that are no longer required for their original purpose such as patient care or a business need but cannot be destroyed due to the requirements of VHA RCS 10-1 or GRS. These records are normally stored at an off-site facility in one of three places: Department of Veterans Affairs Records Center & Vault (RC&V) located in Neosho, Missouri; National Archives & Records Administration (NARA) FRCs, and/or commercial off-site records storage center that meets the records storage standards. (Examples of these records are closed inactive health records, financial records, and long-term temporary records that have not aged out.)

(b) For RC&V shipping procedures, see VA Handbook 6300.8, Procedures for Shipment of Records to the VA Records Center & Vault in Neosho, MO, as well as the RC&V User's Guide: <https://vaww.rrs.aac.va.gov/>. **NOTE:** *This is an internal VA Web site this is not available to the public. For NARA FRCs see: <http://www.archives.gov/frc/>.*

(c) For commercial off-site storage facilities, an agency must provide documentation to NARA that the 36 CFR 1234 records storage standards are met. Required documentation consists of:

1. A completed 36 CFR 1234 inspection checklist.
2. A report under seal of a licensed fire protection engineer that the facility complies with the standards.
3. A personal statement from the facility Records Manager certifying that the facility under consideration is 36 CFR 1234 compliant.

(d) The facility Records Manager must request that a representative of the commercial facility being considered complete the inspection checklist and ask for a fire engineer's report that speaks to the points noted in 1234.32(3). The records should be sent by the vendor to the facility Records Manager who subsequently sends them to NARA. The personal statement can be in the e-mail message block that also transmits the checklist and fire engineer's report to NARA. (See File 3 of NARA's online Records Storage Facility Standards Toolkit located at <http://www.archives.gov/records-mgmt/storage-standards-toolkit/>)

(e) Annually, the facility Records Manager will ensure that a commercial records storage facility continues to meet the 36 CFR 1234 requirements by conducting a site visit to determine if any change to where the records are stored has occurred since the last visit. Examples include a change to the structure, any change to the climate control or fire suppression systems, or if additional storage space was added to the building. The Temporary Records Storage Basic Checklist can be utilized for documentation of

monitoring of the basic requirements for commercial off-site records storage. Additionally, the Records Manager and/or service line/program office is required to maintain a finding aid to locate and retrieve all inactive records in off-site records storage facilities (RC&V, NARA facilities, or a commercial facility). Examples of finding aids include box inventory listings maintained by accession number and transfer of health records utilizing the VistA Record Tracker software.

(f) The NARA Web site outlines the required documents for obtaining permission to use Commercial off-site storage. The request package will be sent to the VHA Records Management Program Office, Health Information Management, Health Information Governance (10A7) for routing through the VA Records Management Office to NARA.

Department of Veterans Affairs Health Information Governance (10A7) Health Information Management Attn: VHA Records Officer. 810 Vermont Avenue NW, Washington, DC 20420

(3) **Inactive Records, On-Site Storage.**

(a) The primary difference between inactive records stored off-site versus on-site is the location of the storage facility. Storing inactive records on-site is not recommended. Such areas are typically called records staging or holding areas. These areas are traditionally at the highest risk of loss due to the fact that these records are not in active use and often times are not being monitored. These records can be exposed to environmental changes, pests (insects) and vermin (mice, rats, and other rodents) for a prolonged period of time before being discovered. (See File 4 of NARA's online Records Storage Facility Standards Toolkit located at <http://www.archives.gov/records-mgmt/storage-standards-toolkit/>)

(b) If the VA medical facilities, program offices, and VISNs store inactive records on-site, the area must meet the requirements of 36 CFR 1234.10, .12 and .14 as appropriate. Inactive records maintained in on-site storage must continue to be listed on the facility master, as well as service-line/program office Records Inventory and File Plans. The Temporary Records Storage Basic Checklist can be utilized for documentation of monitoring of on-site records storage. **NOTE:** *It is highly recommended that VA medical facilities, program offices and VISNs utilize either the RC&V or NARA FRCs for storing inactive records off-site.*

(4) **Active Records, Off-Site Storage.** There are times when it makes financial sense to store active records in off-site storage. The VA Records Center & Vault (RC&V) in Neosho, Missouri does not accept active records. NARA's FRCs and commercial records centers will accept active records. Storing active records can become costly if the records must be pulled back to the VHA facility on a regular basis and then returned to the storage facility. Considerations to be made are: (1) how often are the records needed at the VHA facility; (2) are the records affected by a current records hold/freeze; (3) how difficult is the process to return the records to the facility; (4) distance to the facility; and (5) necessity to purge inactive records and ship to long-term storage, etc. If active records are stored off-site in a NARA FRC or a commercial

records center, these facilities must meet the 36 CFR 1234 requirements. If a commercial records center is utilized, the facility Records Manager must provide documentation to NARA that the 36 CFR 1234 records storage standards are met. The required documentation includes:

- (a) A completed 36 CFR 1234 inspection checklist.
- (b) A report under seal of a licensed fire protection engineer that the facility complies with the standards.
- (c) A personal statement from the facility Records Manager certifying that the facility under consideration is 36 CFR 1234 compliant.
- (d) The Records Manager must request that a representative of the commercial facility being considered complete the inspection checklist and ask for a fire engineer's report that speaks to the points noted in 1234.32(3). The materials must be sent by the vendor to the facility Records Manager who subsequently sends the materials to NARA. The personal statement can be in the e-mail message block that also transmits the checklist and fire engineer's report to NARA. (See File 3 of NARA's online Records Storage Facility Standards Toolkit.)
- (e) Annually the facility Records Manager will ensure that a commercial records storage facility continues to meet the 36 CFR 1234 requirements by conducting a site visit to determine if any change to where the records are stored has occurred since the last visit. Examples include a change to the structure, any change to the climate control or fire suppression systems, or if additional storage space was added to the building. The Temporary Records Storage Basic Checklist can be utilized for documentation of monitoring of the basic requirements for commercial off-site records storage. Active records stored at either a NARA FRC or a commercial facility must continue to be listed on the facility master, as well as service line/program office Records Inventory and File Plan.

(5) Active Records (Low-Usage), On-Site Storage.

(a) These are active records stored in locations with the sole purpose of storing records. These areas are un-manned with limited employee access. These records are normally located outside the view of employees to ensure security and safety of the records. These records can include such records as research protocol records or financial records, which are long term temporary records. Low-use, active records maintained in on-site storage are traditionally at a high risk of loss due to lack of oversight and control of the records. These records can be exposed to environmental changes, as well as pests (insects) and vermin (mice, rats, and other rodents) for a prolonged amount of time prior to being discovered.

(b) Records storage spaces must have security devices such as locks and alarm systems to limit access to authorized personnel only. The storage area should have sprinklers for fire protection. It is not a requirement that a facility-based file room or

office space meet the requirements of 36 CFR 1234.10, 12 and 14; however the space must meet the requirements of:

1. 1234.10, a 1 & 2, c, e, f, h, l, m
2. 1234.12, a, l, m,
3. 1234.14, a, b, c, d

(c) The facility/program office Records Manager is required to monitor active records in all low-use on-site storage spaces at least once a week and be able to provide documentation of weekly checks for compliance. The Temporary Records Storage Basic Checklist can be utilized for documentation of monitoring of on-site records storage.

(d) Active records (low usage) must not be stored on-site in the following locations:

1. Basement mechanical rooms with steam pipes, sewer lines or water pipes
2. Out-buildings or buildings and rooms with no environmental controls (heating, ventilation, and air conditioning systems)
3. A flood plain or below sea level (if the facility is below sea level or on a flood plain, ensure that records are stored on a higher floor)

(6) Active Records (High-Usage), On-Site Storage.

(a) These are records commonly located in central file rooms for health and radiological records or in office space in filing cabinets. Records storage spaces must have security devices such as locks and alarm systems to limit access to authorized personnel only. The storage area should have sprinklers for fire protection. It is not a requirement that a facility-based active file room or office space meets the requirements of 36 CFR 1234.10, 12 and 14; however, the space must meet the requirements of:

1. 1234.10, a 1 & 2, c, e, f, h, l, m
2. 1234.12, a, l, m,
3. 1234.14, a, b, c, d

(b) **NOTE:** *The Temporary Records Storage Basic Checklist can be utilized for documentation of monitoring of on-site records storage. Active records (high-usage) must not be stored on-site in the following locations:*

1. Basement mechanical rooms with steam pipes, sewer lines or water pipes
2. Out-buildings or buildings and rooms with no environmental controls (HVAC systems)

3. A flood plain or below sea level (if the facility is below sea level or on a flood plain, ensure that records are stored on a higher floor) or elevated on the floor level to ensure that the records are not damaged by water.

(7) Temporary/Transit Records Storage.

(a) These are locations where records are placed while being processed for transfer and/or waiting to be transferred to off-site storage to one of three places:

1. Department of Veterans Affairs Record Center & Vault (RC&V) Neosho, Missouri,

2. NARA FRCs, or

3. a commercial records storage center. The purpose of these temporary locations is to have space to process these records, not for long-term records storage.

(b) Records must not be maintained in a temporary/transit records storage area for more than 90 days. A temporary/transit records storage area should be within the facility, not on loading docks, out-buildings, basements with steam pipes or any other environmental hazard that can harm the records being stored. A Temporary Records Storage Basic Checklist can be utilized for documentation of monitoring of on-site records storage in temporary/transit records storage areas. **NOTE:** *Privacy requirements still apply to all records with Personal Identifiable Information (PII) and Personal Health Information (PHI) in addition to the NARA requirements. This especially applies to access limitations like locks and alarm systems.*

(8) Retrieval of Inactive Records From RC&V or NARA FRCs.

(a) Previously retired records retrieved from either the RC&V or a NARA FRC for release of information, litigation purposes, etc. must be returned to the storage facility for interfiling with the same accession they were retired in as soon as possible. Records retrieved for litigation or records freeze may have to be maintained long-term at the facility, however once the litigation hold or freeze is lifted, the records must be returned for interfiling within the same accession they were retired in.

(b) Records Managers (or designees) must develop a process to track records retrieved from either the RC&V or a NARA FRC in order to ensure the records are returned for interfiling. The VHA Records Officer receives notification from the storage facilities of any VHA records which are retrieved by facilities or program offices and maintained for longer than 90 days.

c. Commercial Off-Site Storage Facilities

(1) Use of a commercial off-site storage facility requires the facility Records Manager to provide documentation to NARA that the 36 CFR 1234 records storage standards are met. The required documentation includes:

- (a) A completed 36 CFR 1234 inspection checklist.
- (b) A report under seal of a licensed fire protection engineer that the facility complies with the standards.
- (c) A personal statement from the facility Records Manager certifying that the facility under consideration is 36 CFR 1234 compliant.

(2) The Records Manager must request that a representative of the commercial facility being considered complete the inspection checklist and ask for a fire engineer's report that speaks to the points noted in 1234.32(3). The materials must be sent by the vendor to the facility Records Manager who subsequently sends the materials to NARA. The personal statement can be in the e-mail message block that also transmits the checklist and fire engineer's report to NARA. See File 3 of [NARA's online Records Storage Facility Standards Toolkit](#). **NOTE:** *Even though the records have been transferred to the VA Records Center & Vault (RC&V), NARA controlled FRC or a commercial record center, the VHA Program Office or facility must maintain a finding aid for the records in storage. This finding aid can be included in the facility Records Inventory and File Plan or a separate listing/finding aid. The finding aid is maintained per the Records Disposition Control File.*

d. Transfer of Records to the National Personnel Records Center (NPRC), St. Louis, MO

(1) Follow the NARA General Records Schedules for record retention requirements for separated or transferred Federal civilian employee personnel records under the custody of Office of Personnel Management (OPM)/Human Resources.

(2) Follow the Official Guide to Personnel Recordkeeping for shipping requirements for separated or transferred Federal civilian employee personnel records under the custody of Office of Personnel Management (OPM)/Human Resources.

(3) Medical folders of separated Federal civilian employees. Ship employee medical folders (EMFs) of separated Federal civilian employees to NPRC St. Louis using the following steps:

(a) Employee Medical Folders must be filed in Blue SF-66D folders with the name, date of birth, and Social Security Number on each folder tab.

(b) Upon employee separation, the employee medical folder (EMF) will be pulled and placed in the inactive EMF file drawer.

(c) The EMF is to be transferred (shipped) to the National Personnel Records Center (NPRC) 30 days after separation of employee, per RCS 10-1.

(d) Create an inventory of the records being shipped and maintain as a finding aid in case records are required to be retrieved at a future date.

(e) A small number of inactive EMFs may be sent in a secure shipping envelope via tracked carrier. Larger numbers of records should be sent in standard records storage boxes, GSA Stock Item Number NSN 8115-00-117-8249. Do not overfill boxes. Keep at least 2 inches of space inside the box, allowing the flaps to close securely for taping.

(f) Do not write on the outside of the box, except box # (in outlined spaces).

(g) Tape top of box with 2" clear box tape.

(h) Ship box(es) via tracked carrier (USPS, FedEx, UPS), per VA Directive 6609, Mailing of Sensitive Personal Information. For large shipments of boxes of records to NPRC, utilize VA Transportation shipping procedures.

(i) Address each box to: NPRC. 1411 Boulder Blvd. Valmeyer, IL 62295

(j) An SF-135, Records Transmittal and Receipt is not necessary for the transfer of employee medical folders to the NPRC. The NPRC does not require advance notification of shipment and no receipt will be furnished to the originating facility. The facility must track the shipment via the tracked carrier for confirmation of delivery.

14. RECORDS FREEZES/HOLDS

The Office of General Counsel is responsible to initiate and administer all records freezes and litigation holds. Records Managers and Program Office Coordinators must collaborate and coordinate with the Regional Office of General Counsel in all aspects of litigation holds and freezes.

a. **Records Freeze.** Temporary records held for litigation, investigation, or audit purposes must be are flagged as "frozen" by the Records Manager. Frozen records can be destroyed only after completion of litigation, audit or investigation.

b. **Litigation Hold.** A formal litigation hold notification is issued by OGC when there is reasonable anticipation of litigation and will often be issued prior to actual litigation (Administrative tort, equal employment opportunity, etc.). The notification is sent to individuals who may contain potentially relevant information, Information Technology personnel, and records management personnel to preserve any relevant or potentially relevant information in their possession, custody or control. A litigation hold is formal notification to facilities/personnel to suspend the normal dispositioning of records utilizing VHA RCS 10-1, GRS or other NARA approved records retention schedules. Also known as a "records freeze", this litigation hold ensures the preservation and safeguarding of records, which may be necessary for supporting VA in the event of litigation. As necessary, individuals in receipt of the litigation hold notification from OGC will be requested to sign a Certification of Receipt of Litigation Hold. This confirms the individuals have received and read the litigation hold notification and agree to take all reasonable steps to preserve the documentation, whether in paper or electronic format, as instructed in the notification.

c. **Preservation.** Good faith efforts must be made to identify and retain all potentially relevant material. Take all reasonable steps to identify and preserve any relevant information, including the following:

(1) Retain all relevant information.

(2) Do not delete, discard, overwrite, or destroy any information that might be relevant even if it appears unimportant. If any relevant information is scheduled for destruction, the destruction must be suspended.

(3) Forward or distribute the OGC litigation hold memorandum to authorized personnel who might have relevant information.

(4) Notify the OGC attorneys identified in the formal litigation memo if an employee with relevant information might leave VA before the information is collected.

d. **Release of Records Freeze/Litigation Hold.** Once a records freeze/hold is lifted, OGC will notify the agency/facility involved. Once written notification is received that the litigation hold has been lifted, normal dispositioning in accordance with VHA/NARA approved records control schedules can be resumed.

15. MANAGEMENT OF RECORDS FOR TELEWORK PERSONNEL

a. Employees who meet the criteria for telework may participate in telework arrangements in accordance with applicable laws, and collective bargaining agreements. If an employee has been approved for teleworking, the federal records impacted by the teleworking arrangement must be managed in accordance with this section.

b. Regardless of where an employee works he/she must continue to manage their official government records (work product) in accordance with 44 USC 2901, 36 CFR 1228, RCS 10-1 and the NARA GRS records schedules. At times this may be difficult to accomplish but all efforts must be taken to protect government records regardless of where they are created and stored. **NOTE:** *electronic records are treated the same as any other record found in a filing cabinet; the only difference is the method of storage in electronic media.*

c. Responsibilities:

(1) Facility Records Manager from the teleworking employee's officially assigned facility must:

(a) Maintain Inventory and File plans for all teleworking employees within their facility to reflect the remote location of federal records used by teleworking employees.

(b) Provide advice on records management issues as needed to ensure that the teleworking employee meets the mission of VHA

(c) Collaborate as necessary with Records Manager at VA facility closest to the teleworker to ensure proper records management

(2) Facilities Records Manager at the VA facility closest to the teleworker must:

(a) Provide local records support such as; destroying records with PII or PHI information.

(b) Provide advice as necessary to assist the teleworking employee's Records Manager on records management issues as needed to ensure that the teleworking employee meets the mission of VHA.

(c) Coordinate with the applicable Program Office Records Coordinator if the teleworking employee is a Program Office employee.

(3) The teleworking employee's supervisor must ensure:

(a) That the Program Office Records Coordinators develop a documented process to ensure all teleworking employees are provided space on a VHA share drive or SharePoint to place their reference information, case files, final reports, work product and other government records related to their position within the federal government.

(b) To the degree possible, develop methods of creating and maintaining all telework employees' records in an electronic format for ease of centralized storage and access by other employees and for retrievable if necessary. If it is not feasible to create all federal records in electronic formats, create a means of digitizing paper-based records to an electronic form in order to maintain the electronic versions as the official federal record.

(c) Develop a process to ensure that if the files are password protected that someone has, in a secured location, the password to the file in case there is an emergency that requires access to the data in the file.

(d) Provide sufficient guidance to teleworking employees to ensure that they are familiar with the record schedules in RCS 10-1 and the GRS and maintain their records in accordance with NARA approved records schedule.

(e) Monitor to ensure that teleworking employees complete required TMS telework and Records Management training.

(f) Remind all teleworking employees that they should not place records material on personal drives outside of the control of VHA or O&IT.

(g) Implement a process that ensures that when the teleworking employee leaves government service, that the employee returns all government records including computers and media to the Veterans Health Administration for final record disposition. Ensure that all PII and PHI information is collected and dispositioned per NARA, VHA privacy and records requirements and regulations or is transferred to the custody of the

appropriate government employee taking the duties of the departing employee or to the supervisor.

(h) Coordinate with Human Resources, OI&T, and the Records Manager from the closest VA facility to the teleworker (and the Program Office Coordinator if applicable) to ensure that if the employee is being removed from employment for reasons of adverse performance, that measures are taken to obtain all of the employee's federal records and place them into a protective/freeze/hold status prior to discharge from government service. Post departure, the supervisor or their designee must review the records obtained from the former employee to ensure that they are placed in the custody of the appropriate employees to continue continuity of VHA work and mission.

(4) Program Office Records Coordinators must:

(a) Provide direct records management advice and support to teleworking employees within their Program Office.

(b) Maintain a copy of the teleworking employee's File Plan/Records Inventory reflecting all federal records maintained in a remote teleworking location.

(c) Ensure that the employee has a location such as a share drive or SharePoint to store their completed work product. In addition, they must also ensure that the file naming conventions meet the requirements of paragraph 7.b of this directive.

(d) Develop a documented process to ensure that all folders/files in the teleworking employees' share drive and SharePoint are labeled for ease of identification and includes metadata such as; owner, date created, record type/RCS 10-1 record item number, date of final disposition, and closed date of the files.

(5) Employees must:

(a) Create and maintain an inventory and file plan of all federal records maintained at a telework location and provide their Records Manager or Program Office Records Coordinators, if applicable, maintain a copy of the File Plan/ Records Inventory at least annually or upon request. In addition, the employee will provide the supervisor/and or Records Manager or Program Office Records Coordinator a list of any passwords protected files or folders.

(b) Ensure that all case files, final reports, work product and other government records related to their position within the federal government are maintained on a Share Drive and or SharePoint electronic file folder. O&IT and or the employee's supervisor must be able to have access to these file folders and the records within via network storage.

(c) Ensure that all folders/files in the employees share drive and SharePoint are labeled for ease of identification and include metadata such as owner, date created, record type/RCS 10-1 record item number, date of final disposition, and closed date of the files.

(d) Back up their records in accordance with VA/VHA policy and safeguard these records from loss.

(e) Ensure that all PII and PHI information is collected protected and destroyed per NARA, VA/VHA privacy and records requirements and regulations.

(f) Ensure paper records are secured within lockable container in their work location separate of all personal papers, non-records. Care should be taken at the end of each work day to secure records in their proper location away from family members or friends of the employee.

(g) Ensure, upon leaving government service, that all federal records related to their position within the federal government are placed in the proper electronic folders.

(h) Ensure that non-record e-mails are removed from their e-mail accounts.

(i) Ensure that all paper records are boxed up and sent to their supervisor or Program Office Records Coordinator and or Facilities Records Manager via certified mail.

(j) Ensure that all PII and PHI is secured in accordance with all VA/VHA regulation.

(k) Provide the Supervisor, Program Office Records Coordinator, or Facilities Records Manager a final File Plan/Records Inventory.

16. REFERENCES

- a. VA Directive 0320, VA Comprehensive Emergency Management Program.
- b. VA Directive 6300, Records and Information Management.
- c. VA Directive 6301, Electronic Mail Records.
- d. VA Directive 6371, Destruction of Temporary Paper Records.
- e. VA Directive 6609, Mailing of Sensitive Personal Information.
- f. VA Handbook 0320, Comprehensive Emergency Management Program
- g. VA Handbook 6300.2, 6300.2/1, Management of the Vital Records Program.
- h. VA Handbook 6300.5, Procedures for Establishing and Managing Privacy Act Systems of Records.
- i. VA Handbook 6300.8, Procedures for Shipment of Records to the VA Records Center and Vault in Neosho, MO.
- j. VA Handbook 6301, Procedures for Handling Electronic Mail Records.

k. VA Handbook 6500, Risk Management Framework for VA Information Systems – Tier 3: VA Information Security Program.

l. VA Handbook 6500.1, Electronic Media Sanitization.

m. VA Handbook 6500.6, Contract Security.

n. VA Memorandum 796-13-02, Guidance for Recycling of X-ray film and Precious Metal.

o. VHA Directive 0320, Comprehensive Emergency Management Program, dated April 12, 2013.

p. VHA Directive 0320.01, Veterans Health Administration Comprehensive Emergency Management Program (CEMP) Procedures, dated April 6, 2017.

q. VHA Directive 6300.01 Records Management Compliance Monitoring, dated August 17, 2017.

r. VHA Memorandum 10-2010-02, Request for Disposition of Records (VA Form 7468), and Processing VHA Records for Disposition.

s. VHA Records Control Schedule 10-1.

t. Department of Veterans Affairs – Records Retrieval System.
<https://vaww.rrs.aac.va.gov/>

u. Department of Veterans Affairs – Health Information Management Web site.
https://vaww.vha.vaco.portal.va.gov/sites/HDI/HIM/vaco_HIM/SitePages/Home.aspx

v. Department of Veterans Affairs – Training Management System.
<https://www.tms.va.gov>

w. International Standards Organization - ISO 14001:2015 - section 7.5 - Documented Information

x. OPM Official Guide to Personnel Recordkeeping. <https://www.opm.gov/policy-data-oversight/data-analysis-documentation/personnel-documentation/personnel-recordkeeping/recguide2011.pdf>

y. National Archives and Records Administration – Federal Records Centers.
<http://www.archives.gov/frc/>

z. National Archives and Records Administration – Records Storage Standards Toolkit. <https://www.archives.gov/records-mgmt/storage-standards-toolkit>

aa. National Archives and Records Administration - Request for Records Disposition Authority. <https://www.archives.gov/files/records-mgmt/faqs/pdf/sf115.pdf>

bb. National Archives and Records Administration. Records Management Training Program YouTube Playlist.

https://www.youtube.com/watch?v=MOwwQ5XdbW0&list=PLugwVCjzrJsWbTAkNkRdOj_LsgsVpMHeZ

cc. National Archives and Records Administration – Universal Electronic Records Management (ERM) Requirements. <https://www.archives.gov/records-mgmt/policy/universalerrequirements>

dd. Veterans Health Administration – Employee Education System. <https://myees.lrn.va.gov/default.aspx>

SENIOR LEADER AND DEPARTING OFFICIAL RECORDS REQUIREMENTS

1. GENERAL REQUIREMENTS

- a. Records are not to be removed from any office as personal property.
- b. Records in any media or format (paper, electronic, e-mail, etc.) must be preserved if they:
 - (1) Document the formulation and execution of basic policies and decisions and the taking of necessary actions.
 - (2) Document important meetings, conferences or events.
 - (3) Facilitate federal action by agency officials and their successors in office;
 - (4) Make possible a proper scrutiny by the Congress or other duly authorized agencies of the Government.
 - (5) Protect the financial, legal, and other rights of the Government and of persons directly affected by official actions.

2. LEGAL REQUIREMENTS. Legal requirements are to:

- a. Preserve records documenting VA/VHA's functions, policies, decisions, roles, procedures, and essential transactions (44 US Code 3101).
- b. Establish and maintain an active, continuing program for the economical and efficient management of agency records (44 US Code 3102).
- c. Establish safeguards against the removal or loss of records and make requirements and penalties known to agency officials and employees (44 US Code 3105).
- d. Notify the Archivist of the U.S. of actual, impending, or threatened unlawful destruction of records and assist in their recovery (44 US Code 3106).
- e. The Record Control Schedule 10-1 and National Archives and Records Administration General Record Schedules (GRS) instruct when and where to destroy and file official records and must be referenced when dealing with official records.

3. SENIOR LEADER E-MAILS

- a. E-mail are records and subject to the Freedom of Information Act (FOIA) if they:
 - (1) Provide key substantive comments on a draft action memorandum, and if the e-mail message adds to a proper understanding of the formulation or execution of final agency action;

(2) Provide final documentation of significant VA/VHA decisions and oral commitments not otherwise documented in VA/VHA files;

(3) Convey substantive information of official value on important VA/VHA activities, adding to a proper understanding of VA/VHA operations and responsibilities.

b. Obligations under the Freedom of Information Act (FOIA).

(1) The Freedom of Information Act (FOIA), 5 US Code 552, requires release of agency records unless the records fall within one of FOIA's exemptions or exclusions.

(2) Agencies responding to FOIA requests are responsible only for "agency records". FOIA requires only that the record be (1) either created or obtained by an agency, and (2) under agency control at the time of the FOIA request.

c. **Removal and Destruction of E-mail Records.** As with other types of records (paper, electronic, audio-visual), e-mail records may not be removed from VA/VHA. Additionally, e-mail records which are the subject of a FOIA request may not be destroyed except as authorized in an approved records disposition schedule.

d. Nonrecords are any informational material excluded from the definition of records or not meeting the requirements of that definition. (For a definition of nonrecord material, see paragraph 3.j of this directive.)

Some nonrecord materials are still Government-owned and must be protected from unlawful removal. Copies of official records must not be made for the purpose of removal or donation. Nonrecord materials such as copies of training slides received at a conference, copies of stock publications, and personal meeting notes may be removed by the departing official without the approval of the VA/VHA Records Officer. Examples include but are not limited to:

- (a) Library and museum material
- (b) Stocks of publications, blank forms, and vendor catalogues
- (c) Drafts/worksheets, professional journals, and copies of directives

4. PERSONAL PAPERS OF SENIOR OFFICIALS AND RECORDS

a. The National Archives defines "personal papers" as documentary materials belonging to an individual that are not used to conduct agency business. Personal files are excluded from the definition of Federal records and are not owned by the Government (36 CFR 1220.18).

b. Examples of Personal Papers include:

- (1) Documents created before entering government service.

(2) Private materials brought into, created or received in the office that were not created or received in the course of transacting government business (i.e. personal correspondence or emails).

(3) Work-related personal documents that are not used in the transaction of government business (i.e., personal medical insurance or trade association membership papers).

c. Management of Personal Papers (36 CFR 1222.20)

(1) Information about private (non-agency) matters and federal business must not be mixed in outgoing agency documents including but not limited to correspondence and messages.

(2) If information about private matters and agency business appears in a received document, the document becomes a federal record. Agencies may make a copy of the document with the personal information deleted or redacted and treat the copy as the federal record.

5. GUIDANCE FOR EXECUTIVE ASSISTANTS. As the current executive administration changes office, it is imperative that all the records of senior and politically appointed civil service staff are safeguarded. Close attention must be given to electronic records such as e-mail and items stored on organizational shared drives. As senior leaders vacate their positions, the following guidance must be followed:

a. All records, originals and copies, are under the control of VA/VHA regardless of how and by whom they were created or obtained. Prior to sharing records outside VHA, consult with the VHA Records Officer.

b. PII or PHI information must remain under the control of the originating agency.

c. No documentary material, may be withdrawn if it creates a gap in the official files and impairs the completeness of essential documentation. Indexes or other finding aids, necessary for the use of the official files, may not be removed.

d. Personal diaries, which are private records of public activities, are private property and may be removed. Work aids, such as office diaries, logs, calendars, memoranda of conferences and telephone calls may be removed provided they do not contain information otherwise prohibited from removal. This applies to personal papers created in paper or electronic format.

e. Extra copies (e.g., photocopies) of records may be removed under approval of the supervisor or legal counsels. Prior to removal, it must be determined by the supervisor or legal counsel that no legal or policy reason exists that would prevent removal and that the record copy, or other necessary copies, are available to VA/VHA.

f. The departing employee must contact their IT personnel to download a copy of all e-mail records to compact disc (CD) for inclusion into the agency electronic records management storage system.

g. All paper records will be collected by the departing employee's Administration Department or other office staff. Remove duplicate copies and identify personal files versus official agency records.

6. VHA RECORDS OFFICER. Contact the VHA Records Officer for further guidance.

a. The VHA Records Management Office may be contacted for additional guidance on the transfer of both the electronic records and paper records.

b. Any violation of the statutory and regulatory limitations placed on removal of documentary material by VA/VHA officials who resign or retire will be forwarded to the Veterans Health Administration who must confer with the VHA Regional Counsel regarding such violations.

REPORTING INTENTIONAL OR ACCIDENTAL LOSS OR DAMAGE OF RECORDS

1. PURPOSE. This Standard Operating Procedure (SOP) provides guidance for the timely Reporting of Catastrophic Loss or Damage of Records.

2. POLICY. All Federal Records must be maintained and safeguarded against accidental destruction or loss, and to prevent catastrophic loss or damage of records. The Federal Records retention requirements are enforced using RCS 10-1 and the General Records Schedule (GRS). The reporting requirements are contained in NARA Regulations (36 CFR, Part 1230 and VA handbook 6300.1. Ch.6).

3. RESPONSIBILITY. All Departments must monitor records within their organizational scope to prevent unauthorized destruction, which is illegal under federal law (44 USC 3105, 3106) and carries penalties of a fine and up to three years of imprisonment.

4. PROCEDURE. The office of origin must report immediately via memorandum any unlawful or accidental removal, defacing, alteration, loss or removal of records.

a. The memorandum is routed as follows:

- (1) Thru: Facility Records Officer
- (2) Thru: VHA Records Officer
- (3) Thru: Director VHA HIM Program Office
- (4) Thru: VA Records Officer
- (5) To: NARA

b. The memorandum includes the following information for damage or loss of records:

(a) Office of Origin and the complete point of contact information (name, phone, email, address, facility address).

(b) A complete description of the records with volume and dates if known.

(c) Statement regarding potential patient safety issues.

(d) A statement of the exact circumstances surrounding the alteration, defacing, or destruction of the records.

(e) Date of occurrence.

(f) Details of alteration, defacing or destruction.

(g) A statement of safeguards established to prevent further loss or documentation.

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(h) Details of the action taken to salvage, retrieve, or reconstruct the records.

5. RESOURCES. VA Handbook 6300.1 Ch. 6 and 36 CFR Part 1234.0, 44 (USC 3106)