UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER
Real Property Management Division

REAL PROPERTY MANAGEMENT DIVISION POLICY BULLETIN NUMBER 28

April 17, 2009

Subject: Owned and Leased Facility File Retention and Disposition Plan

Category: Files

Real property holdings such as fee absolute, permanent easements, or long-term land leases with terms in excess of thirty (30) years that have been acquired for the Department of Commerce for National Oceanic and Atmospheric Administration (NOAA) purposes, will follow this standard operating process for development of documents of record and retention of information pertaining to changes to these records throughout their ownership by the United States government.

Standard Operating Procedures
Owned Asset File Plan and Record Retention

Background:
The National Archives has established general rules for retention of governmental documentation under the Federal Records Act of 1950. The Department of Justice has established general rules for documentation needed for title review for fee acquisition, as required by 40 U.S.C. § 3111. GSA has established through policy its file checklist for lease acquisition. Other Records Management Authorities include: NAO 205-1 NOAA Records Management Program, DAO 205-1 Program for Records Management, 44 U.S.C. Chapter 31 Records Management by Agency Heads, 44 U.S.C. Chapter 33 Disposal of Records, 44 U.S.C. § 101 Federal Management and Promotion of Electronic Government Services.

As a Federal employee at NOAA, you will be creating and using Federal Government real property records. They may be in many formats: paper, electronic, visual, maps, etc. These records document the functions, policies, decisions, procedures, operations and other activities of RPMD.

It is your responsibility to protect Federal records in your custody, and there are legal implications for destroying records without the proper authority. Following good records management practices can benefit NOAA in many ways such as: improving access to information, saving time, space and money.

Records:

By law Federal records are documentary materials including:

- letters
- memorandums
- completed forms
- statistical and narrative reports
- graphics
- photographs
- audio and video recordings
- maps
- architectural, engineering, and other drawings regardless of physical format
- forms
- photographic prints and negatives
- motion picture film
- tape recordings
- electronic records

Records are created or received during the conduct of agency business, and preserved as appropriate because they constitute evidence or contain information of value. (44 U.S.C. 3301)

RPMD File Requirements

Each RPMD Office of Record will use this Policy Bulletin to establish a File Management and Disposition Plan that complies with the pertinent sections of NARA General Records Schedules 3, 16, and 23, which have been excerpted and attached to this Policy Guide.

1. RPMD is responsible for determining if the materials it creates meet the definition of these records.
2. Paper records may be originals or copies, such as file copies of outgoing correspondence or copies forwarded for action.
3. Multiple copies of the same document are to be limited and may be retained if each serves a separate administrative purpose and if they are kept in separate filing or recordkeeping systems.
4. When a record exists in multiple formats (*.pdf, paper and e-mail), generally both the paper and the electronic copies are considered distinct records.
5. If electronically created records are maintained in paper recordkeeping systems, the information necessary for a complete record must be printed.
6. Factors which contribute to the determination that documentary materials are Federal Records.

- Documents that are required by NOAA Directive, Policy Guide, Federal Management Regulation, or GSA (GSAR) delegation of authority will be maintained.

- Document was used to conduct or facilitate agency business.

- Document contains unique information that explains formulation of significant program policies and decisions.

- Document was distributed to other offices or agencies for formal approval or clearance.

- Document is part of an electronic inventory system used to conduct Government business.

- Document is covered by an item in an agency records schedule or regulation.

7. What Documentary Materials Are *Not* Federal records?

   - Library and museum materials made or acquired and preserved solely for reference or exhibit purposes.

   - Extra copies of documents preserved only for convenience of reference.

   - Stocks of publications and of processed documents.

   - Personal Papers: Materials pertaining solely to an individual's private affairs that have been designated as nonofficial and are kept in the office of a Federal official. (Such papers are to be labeled as personal and kept separately from official records.)

8. Are Preliminary Drafts and Working Papers Federal Records?

   - Drafts and working papers should be filed and maintained as part of the agency's records IF they explain how the agency formulated and executed significant program policies, decisions, actions, or responsibilities; or contain unique information such as annotations or comments.

   - Questions concerning record status should be referred to the agency records officer, legal counsel, or other designated official.

9. Records Maintained:

   All real property records protected by the Competition in Contracting Act, and other germane regulation and law must be handled in accordance with NOAA regulations.

Annual Review:

Each RPMD office of record should conduct an *annual review* of the records stored in each office. Review will be documented and maintained with the file management and disposition plan.

The following items should be noted if they are identified in the review:

- Any necessary changes in file maintenance;
- Records which are ready for transfer; and
- Records which are eligible for disposal in accordance with the NOAA Disposition Handbook.

The reviews should also ensure that:

- The system's coverage is adequate;
- All of the organization's records are identified; and
- The disposition instructions are appropriate.

File Disposition Plan for Real Property Records

These Requirements are Pertinent Excerpts from
NARA
GENERAL RECORDS SCHEDULE 3
for
Procurement, Supply, and Grant Records

1. Real Property Files. [See note after item 1b.]

Title papers documenting the acquisition of real property (by purchase, condemnation, donation, exchange, or otherwise), excluding records relating to property acquired prior to January 1, 1921.

a. Records relating to property acquired after December 31, 1920, other than abstract or certificate of title.

Dispose 10 years after unconditional sale or release by the Government of conditions, restrictions, mortgages or other liens.

b. Abstract or certificate of title.

Transfer to purchaser after unconditional sale or release by the Government of conditions, restrictions, mortgages, or other liens.

[**NOTE**: Records relating to property acquired prior to January 1, 1921, are not covered by the GRS and must be scheduled by submission of a Standard Form (SF) 115 to NARA.]

2. General Correspondence Files.

Correspondence files of operating procurement units concerning internal operation and administration matters not covered elsewhere in this schedule.

Destroy when 2 years old.

3. Routine Procurement Files. [See note after item 3d.]

Contract, requisition, purchase order, lease, and bond and surety records, including correspondence and related papers pertaining to award, administration, receipt, inspection and payment (other than those covered in items 1 and 12). [See note after item 3a(2)(b).]

a. Procurement or purchase organization copy, and related papers.

(1) Transaction dated on or after July 3, 1995 (the effective date of the Federal Acquisition Regulations (FAR) rule defining simplified acquisition threshold).

(a) Transactions that exceed the simplified acquisition threshold and all construction contracts exceeding $2,000.

Destroy 6 years and 3 months after final payment.

(b) Transactions at or below the simplified acquisition threshold and all construction contracts at or below $2,000.

Destroy 3 years after final payment.

(2) Transactions dated earlier than July 3, 1995.

(a) Transactions that utilize other than small purchase procedures and all construction contracts exceeding $2,000.

Destroy 6 years and 3 months after final payment.

(b) Transactions that utilize small purchase procedures and all construction contracts under $2,000.

Destroy 3 years after final payment.

[**NOTE:** Given the complexities of the rules on procurement, agencies should involve procurement officials when deciding which of the sub-items to apply to a particular series of records.]

b. Obligation copy.

Destroy when funds are obligated.

c. Other copies of records described above used by component elements of a procurement office for administrative purposes.

Destroy upon termination or completion.

d. Data Submitted to the Federal Procurement Data System (FPDS). Electronic data file maintained by fiscal year, containing unclassified records of all procurements, other than small purchases, and consisting of information required under 48 CFR 4.601 for transfer to the FPDS.

Destroy or delete when 5 years old.

[**NOTE**: Unique procurement files are not covered by this schedule. With the standardization of the Government-wide procurement process under the FAR, such files are unlikely to exist. However, if an agency believes that a procurement file that has long-term research value, the records officer should submit an SF 115.]

5. <u>Solicited and Unsolicited Bids and Proposals Files</u>.

a. Successful bids and proposals.

Destroy with related contract case files (see item 3 of this schedule).

b. Solicited and unsolicited unsuccessful bids and proposals.

(1) Relating to small purchases as defined in the Federal Acquisition Regulation, 48 CFR Part 13.

Destroy 1 year after date of award or final payment, whichever is later.

(2) Relating to transactions above the small purchase limitations in 48 CFR Part 13.

(a) When filed separately from contract case files.

Destroy when related contract is completed.

(b) When filed with contract case files.

Destroy with related contract case file (see item 3 of this schedule).

c. Canceled solicitations files.

(1) Formal solicitations of offers to provide products or services (e.g., Invitations for Bids, Requests for Proposals, Requests for Quotations) which were canceled prior to award of a contract. The files include pre-solicitation documentation on the requirement, any offers that were opened prior to the cancellation, documentation on any Government action up to the time of cancellation, and evidence of the cancellation.

Destroy 5 years after date of cancellation.

2) Unopened bids.

Return to bidder.

d. Lists or card files of acceptable bidders.

Destroy when superseded or obsolete.

10. Telephone Records.

Telephone statements and toll slips.

Destroy 3 years after period covered by related account.

11. Contractors' Payroll Files.

Contractors' payrolls (construction contracts) submitted in accordance with Department of Labor regulations, with related certifications, antikickback affidavits, and other related papers.

Destroy 3 years after date of completion of contract unless contract performance is subject of enforcement action on such date.

15. Contract Appeals Case Files.

Contract appeals case files arising under the Contracts Dispute Act, consisting of notices of appeal and acknowledgments thereof; correspondence between parties; copies of contracts, plans, specifications, exhibits, change orders, and amendments; transcripts of hearings; documents received from parties concerned; final decisions; and all other related papers.

a. Records created prior to October 1, 1979.

Destroy 6 years, 3 months after final action on decision.

b. Records created after September 30, 1979.

Destroy 1 year after final action on decision.

16. Contractor's Statement of Contingent or Other Fees.

SF 119, Statement of Contingent or Other Fees, or statement in lieu of the form, filed separately from the contract case file and maintained for enforcement or report purposes.

Destroy when superseded or obsolete.

17. Small and Disadvantaged Business Utilization Files.

Correspondence, reports, studies, goal statements, and other records relating to the small and disadvantaged business utilization program, as required by PL 95-507.

Destroy when 3 years old.

19. Electronic Mail and Word Processing System Copies.

Electronic copies of records that are created on electronic mail and word processing systems and used solely to generate a recordkeeping copy of the records covered by the other items in this schedule. This also includes electronic copies of records in this schedule. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for dissemination of documents.

a. Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic

mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

Destroy/delete within 180 days after the recordkeeping copy was produced.

b. Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.

Destroy/delete when dissemination, revision, or updating is completed

File Disposition Plan for Administrative Records

These Requirements are Pertinent Excerpts from
NARA
GENERAL RECORDS SCHEDULE 16
for
Administrative Management Records

1. Administrative Issuances. [See note after item 1b.]

a. Notices and other types of issuances related to routine administrative functions (e.g., payroll, procurement, personnel).

Destroy when superseded or obsolete.

b. Case files related to (a) above that document aspects of the development of the issuance.

Destroy when issuance is destroyed.

[**NOTE**: Record sets of formal directives, procedural and operating manuals, publications, and management improvement reports submitted to the Office of Management and Budget (OMB), and the case files documenting their development are potentially permanent records and must be scheduled by submission of an SF 115 to NARA.]

2. Records Disposition Files.

Descriptive inventories, disposal authorizations, schedules, and reports.

a. Basic documentation of records description and disposition programs, including SF 115, Request for Records Disposition Authority; SF 135, Records Transmittal and Receipt; SF 258, Agreement to Transfer Records to National Archives of the United States; and related documentation.

(1) SF 115s that have been approved by NARA.

Destroy 2 years after supersession.

(2) Other records.

Destroy 6 years after the related records are destroyed or after the related records are transferred to the National Archives of the United States, whichever is applicable.

b. Routine correspondence and memoranda.

Destroy when 2 years old.

3. Forms Files.

a. One record copy of each form created by NOAA with related instructions and documentation showing inception, scope, and purpose of the form.

Destroy 5 years after related form is discontinued, superseded, or canceled.

b. Background materials, requisitions, specifications, processing data, and control records.

Destroy when related form is discontinued, superseded, or canceled.

4. Records Holdings Files.

Statistical reports of agency holdings, including feeder reports from all offices and data on the volume of records disposed of by destruction or transfer.

a. Records held by offices that prepare reports on agency-wide records holdings.

Destroy when 3 years old.

b. Records held by other offices.

Destroy when 1 year old.

5. Project Control Files.

Memoranda, reports, and other records which document assignments, progress, and completion of projects.

Destroy 1 year after the year in which the project is closed.

6. Reports Control Files.

Case files maintained for each agency report created or proposed, including public use reports. Included are clearance forms, including OMB 83 (formerly SF 83); copies of pertinent forms or descriptions of format; copies of authorizing directives; preparation instructions; and documents relating to the evaluation, continuation, revision, and discontinuance of reporting requirements.

Destroy 2 years after the report is discontinued.

7. Records Management Files.

Correspondence, reports, authorizations, and other records that relate to the management of agency records, including such matters as forms, correspondence, reports, mail, and files management; the use of microforms, ADP systems, and word processing; records management surveys; vital records programs; and all other aspects of records management not covered elsewhere in this schedule.

Destroy when 6 years old.

8. Reserved.

9. Feasibility Studies.

Studies conducted before the installation of any technology or equipment associated with information management systems, such as word processing, copiers, micrographics, and communications. Studies and system analyses for the initial establishment and major changes of these systems. Such studies typically include a consideration of the alternatives of the proposed system and a cost/benefit analysis, including an analysis of the improved efficiency and effectiveness to be expected from the proposed system.

Destroy 5 years after completion or cancellation of study.

10. Microform Inspection Records.

a. Agency copy of inventories, logs, and reports documenting the inspection of permanent microform records, as required by 36 CFR Part 1230. [See notes after item 10a.]

Destroy 1 year after the records are transferred to the National Archives of the United States.

[**NOTES**: (1) This item does not cover the copy of logs and reports that are attached to the SF 135 when records are transferred to a Federal records center or the SF 258 when records are transferred to the National Archives of the United States. (2) Inspection records for unscheduled records that are converted to microform are also unscheduled and may not be destroyed.]

b. Agency copy of logs and other records documenting the inspection of temporary microform records, as recommended by 36 CFR Part 1230.

Destroy when 2 years old or when superseded, whichever is later.

11. IRM Triennial Review Files.

Reports required by the GSA concerning reviews of information resources management (IRM) practices. Included are associated correspondence, studies, directives, feeder reports, and monitoring surveys and reports.

Destroy when 7 years old.

12. Information Collection Budget Files.

Reports required by the OMB under the Paperwork Reduction Act about the number of hours the public spends fulfilling agency reporting requirements. Included are

associated feeder reports, report exhibits, correspondence, directives, and statistical compilations.

Destroy when 7 years old.

13. Documents Published in the Federal Register. [See note after item 13b.]

a. Files documenting the processing of notices announcing committee meetings, including meetings open to the public under the Government in Sunshine Act (5 U.S.C. 552b(e)(3)); hearings and investigations; filing of petitions and applications; issuance or revocation of a license; grant application deadlines, the availability of certain environmental impact statements; delegations of authority; and other matters that are not codified in the Code of Federal Regulations.

Destroy when 1 year old.

b. Files documenting the processing of semiannual regulatory agenda.

Destroy when 2 years old.

[**NOTE**: Agency files documenting the development, clearance, and processing of proposed and final rules for publication in the Federal Register are not covered by the General Records Schedules. These records may be, but are not necessarily, permanent. They must be scheduled individually by each agency so NARA can conduct an analysis and appraisal to determine their appropriate disposition.]

14. Management Control Records.

Records created in accordance with procedures mandated by OMB Circular A-123, Management Accountability and Control Systems, and PL 97-255, the Federal Managers' Financial Integrity Act. Under these authorities, agencies are required to perform evaluations of their accounting and administrative controls to prevent waste, fraud, and mismanagement.

a. Policy, procedure, and guidance files.

Copies of internal directives maintained by the agency's internal control staff (but not those copies maintained in the agency's official file of internal directives); external directives such as OMB Circular A-123; and correspondence outlining policy and procedure for performing management reviews.

Destroy when superseded.

b. Management control plans.

Comprehensive plans documenting the agency's efforts to ensure compliance with OMB Circular A-123.

Destroy when superseded.

c. Risk analyses.

Reports and supporting materials used to document review of program areas for susceptibility to loss or unauthorized use of resources, errors in reports and information, and illegal and unethical actions.

Cut off closed files annually. Destroy after next review cycle.

d. Annual reports and assurance statements created by organizational components below the agency (department or independent agency) level and compiled by the agency into a single unified report for direct submission to the President or Congress. [See note after item 14d.]

Cut off closed files annually. Destroy after next reporting cycle.

[**NOTE**: This item does not cover the consolidated final reports submitted directly to the President or Congress. The final reports must be scheduled by submitting an SF 115 to NARA.]

e. Tracking files.

Files used to ensure the completion and timeliness of submission of feeder reports, including schedules of evaluations, interim reporting, lists of units required to report, and correspondence relating to the performance of the reviews.

Destroy 1 year after report is completed.

f. Review files. [See note after item 14f(2).]

Correspondence, reports, action copies of audit findings, and other records that identify program internal control weaknesses, and corrective actions taken to resolve such problems. Since A-123 provides for alternative internal control reviews under OMB Circulars A-76, A-127, or A-130, this item also applies to copies of these reviews, provided they are identified as alternative reviews in the management control plan.

(1) Office with responsibility for coordinating internal control functions.

Cut off when no further corrective action is necessary. Destroy 5 years after cutoff.

(2) Copies maintained by other offices as internal reviews.

Cut off when no further corrective action is necessary. Destroy 1 year after cutoff.

[**NOTE**: Alternative reviews such as computer security reviews and management and consultant studies may need to be kept longer than provided in item 14f(2). This item applies only to **copies** maintained as internal reviews.]

15. <u>Electronic Mail and Word Processing System Copies</u>.

Electronic copies of records that are created on electronic mail and word processing systems and used solely to generate a recordkeeping copy of the records covered by the other items in this schedule. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

a. Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

Destroy/delete within 180 days after the recordkeeping copy was produced.

b. Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.

Destroy/delete when dissemination, revision, or updating is completed.

File Disposition Plan for Administrative Records

These Requirements are Pertinent Excerpts from
NARA
GENERAL RECORDS SCHEDULE 23

Records Common to Most Offices Within Agencies

1. Office Administrative Files. [See note after this item.]

Records accumulated by individual offices that relate to the internal administration or housekeeping activities of the office rather than the functions for which the office exists. In general, these records relate to the office organization, staffing, procedures, and communications, including facsimile machine logs; the expenditure of funds, including budget records; day-to-day administration of office personnel including training and travel; supplies and office services and equipment requests and receipts; and the use of office space and utilities. They may also include copies of internal activity and workload reports (including work progress, statistical, and narrative reports prepared in the office and forwarded to higher levels) and other materials that do not serve as unique documentation of the programs of the office.

Destroy when 2 years old.

[**NOTE**: This schedule is not applicable to the record copies of organizational charts, functional statements, and related records that document the essential organization, staffing, and procedures of the office, which must be scheduled prior to disposition by submitting a Standard Form (SF) 115 to the National Archives and Records Administration (NARA).]

2-4. Reserved.

5. Schedules of Daily Activities.

Calendars, appointment books, schedules, logs, diaries, and other records documenting meetings, appointments, telephone calls, trips, visits, and other activities by Federal employees while serving in an official capacity, EXCLUDING materials determined to be personal.

a. Records containing substantive information relating to official activities, the substance of which has not been incorporated into official files, EXCLUDING records relating to the official activities of high Government officials. [See note after item 5a.]

Destroy or delete when 2 years old.

[**NOTE**: High level officials include the heads of departments and independent agencies; their deputies and assistants; the heads of program offices and staff offices including assistant secretaries, administrators, and commissioners; directors of offices, bureaus, or equivalent; principal regional officials; staff assistants to those aforementioned officials, such as special assistants, confidential assistants, and

administrative assistants; and career Federal employees, political appointees, and officers of the Armed Forces serving in equivalent or comparable positions. Unique substantive records relating to the activities of these individuals must be scheduled by submission of an SF 115 to NARA.

b. Records documenting routine activities containing no substantive information and records containing substantive information, the substance of which was incorporated into organized files.

Destroy or delete when no longer needed for convenience of reference.

6. Suspense Files.

Documents arranged in chronological order as a reminder that an action is required on a given date or that a reply to action is expected and, if not received, should be traced on a given date.

a. A note or other reminder to take action.

Destroy after action is taken.

b. The file copy or an extra copy of an outgoing communication, filed by the date on which a reply is expected.

Withdraw documents when reply is received. (1) If suspense copy is an extra copy, destroy immediately. (2) If suspense copy is the file copy, incorporate it into the official files.

7. Transitory Records.

Records of short-term interest (180 days or less), including in electronic form (e.g., e-mail messages), which have minimal or no documentary or evidential value. Included are such records as

- Routine requests for information or publications and copies of replies which require no administrative action, no policy decision, and no special compilation or research for reply;
- Originating office copies of letters of transmittal that do not add any information to that contained in the transmitted material, and receiving office copy if filed separately from transmitted material;
- Quasi-official notices including memoranda and other records that do not serve as the basis of official actions, such as notices of holidays or charity and welfare fund appeals, bond campaigns, and similar records;
- Records documenting routine activities containing no substantive information, such as routine notifications of meetings, scheduling of work-related trips and visits, and other scheduling related activities;
- Suspense and tickler files or ‘to-do’ and task lists that serve as a reminder that an action is required on a given date or that a reply to action is expected, and if not received, should be traced on a given date.

Destroy immediately, or when no longer needed for reference, or under a predetermined schedule or business rule (e.g., implementing the auto-delete feature of “live” electronic mail systems).

8. Tracking and Control Records.

Logs, registers, and other records used to control or document the status of correspondence, reports, or other records that are authorized for destruction by the GRS or a NARA-approved SF 115.

Destroy or delete when 2 years old, or 2 years after the date of the latest entry, whichever is applicable.

9. Finding Aids (or Indexes).

Indexes, lists, registers, and other finding aids used only to provide access to records authorized for destruction by the GRS or a NARA-approved SF 115, EXCLUDING records containing abstracts or other information that can be used as an information source apart from the related records.

Destroy or delete with the related records.

10. Electronic Mail and Word Processing System Copies.

Electronic copies of records that are created with electronic mail and word processing systems and used solely to generate a recordkeeping copy of the records covered by the other items in this schedule. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

a. Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

Destroy/delete within 180 days after the recordkeeping copy was produced.

b. Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.

Destroy/delete when dissemination, revision, or updating is completed.