



DIRECTIVE

Subject: Defense Nuclear Facilities Safety Board Records Management Program (RM)

Number: D-421.1	Approved: 2/01/2017	Review: 2/01/2022	Certified:
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Responsible Office: Office of the General Manager

1. **PURPOSE**. The purpose of this Directive is to establish policy and assign responsibilities for the Defense Nuclear Facilities Safety Board (DNFSB) Records Management¹ (RM) Program.
2. **CANCELLATION**. AD 19-1, *Records Management Program*, dated October 1, 1998.
3. **APPLICABILITY**. This Directive applies to all DNFSB employees, contractors and consultants and takes precedence over all other DNFSB Directives and supplementary documents regarding Records Management.
4. **EXEMPTIONS**. Exemptions of this Directive or individual requirements contained herein must be documented and justified by the originating Office Director and approved by the Chairman.
5. **POLICY**.
 - A. DNFSB shall conduct its RM Program in accordance with the references set forth in section 9.
 - B. The DNFSB RM Program shall (a) demonstrate that DNFSB operates in accordance with 42 U.S.C. § 2286 et seq., *Enabling Statute of the Defense Nuclear Facilities Safety Board*, other regulations, and guidance, and (b) document DNFSB's organization, policies, procedures and decisions.
 - C. Records created by DNFSB shall be stored, maintained and disposed of locally by the Office of the General Counsel (OGC), Office of the General Manager (OGM), and Office of the Technical Director (OTD) in accordance with the DNFSB records retention schedules. OGM shall store, maintain and dispose of Board records in accordance with the DNFSB records schedules.
 - D. OGM shall manage the DNFSB RM Program.

¹ Defined terms (see section 10) are underlined when first used.

- E. DNFSB shall manage permanent email records via the Capstone approach, as detailed in reference (M).
- F. DNFSB shall manage electronic records in electronic format to the fullest extent possible.
- G. Official DNFSB business shall be done on official DNFSB information systems in order to ensure that any use of a non-DNFSB information system does not affect the preservation of federal records for federal records purposes, or the ability to identify and process those records if requested under the Freedom of Information Act (FOIA), Privacy Act or for other official business (e.g., litigation, congressional oversight requests, etc.). In the event that the use of personal email or other personal electronic messaging account, including instant messaging and text messaging on a personal mobile device, must be used for sending or receiving DNFSB records, the individual creating or sending the record from a non-DNFSB electronic messaging system must copy their DNFSB email account at the time of transmission or creation, or forward that record to their DNFSB email account within 20 days of creation or transmission.

6. **REQUIREMENTS.** DNFSB shall:

- A. Manage all permanent electronic records in an electronic format by December 31, 2019, per reference (F).
- B. Acquire and use only records management applications (RMAs) that are certified per reference (K).
- C. Provide adequate training to all employees who create and use records, and to provide RM refresher training at least annually to ensure compliance with references (A) through (G).
- D. Support its Continuity of Operations (COOP) Program by identifying and protecting vital records. Appropriate measures shall be taken to ensure the survival of the originals or copies of vital records in case of emergency or disaster so that they remain accessible and immediately usable.
- E. Respond to requests to locate, preserve, review, and produce documentary material in response to subpoenas, document production requests in litigation, Congressional inquiries, Freedom of Information Act (FOIA) requests, requests from U.S. Government agencies, and other similar requests.
- F. Inform departing DNFSB personnel of the restrictions on the removal of documentary materials from government custody.

7. **RESPONSIBILITIES.**

- A. The General Manager (GM), or designee, is responsible for the operation of the DNFSB RM Program. The DGM shall:
 - (1) Prescribe DNFSB standards, and procedures for the records management program;
 - (2) Be responsible for approving all reports i.e., Records Management Self-Assessment and Senior Agency Officials for Records Management Report and for approving all agency records transfers; and
 - (3) Ensure that the DNFSB RM Program is operated in accordance with the references set forth in section 9.

- B. The General Counsel (GC) is responsible for issuing and lifting agency-wide litigation holds and instructions for production of documents due to litigation or investigations.

- C. The DNFSB Records Officer shall:
 - (1) Ensure that DNFSB records are managed economically and efficiently;
 - (2) Create, establish and maintain records schedules for all DNFSB records and ensure that those schedules are appropriately reviewed and approved by the National Archives and Records Administration (NARA);
 - (3) Conduct analyses of records management practices in DNFSB offices and recommend necessary improvements;
 - (4) Complete the Senior Agencies Officials Report and the Records Management Self-Assessment;
 - (5) Review and submit for approval record transfers to the DGM for NARA and the Federal Records Centers;
 - (6) Ensure employee records management training is complete and accurate;
 - (7) Establish safeguards against removal or loss of government records; and
 - (8) Represent the DNFSB in records management issues with NARA and other public and private sector agencies, as appropriate.

- D. Office Directors shall:

- (1) Be responsible for creating and preserving records containing adequate and proper documentation of the organization, functions, programs, decisions, procedures, and essential transactions of his/her organization;
- (2) Ensure that an efficient and effective RM Program is established, in accordance with DNFSB policies and procedures, in his/her respective areas of responsibility;
- (3) Establish and maintain a file plan which identifies the file type, its description, and disposition authority for DNFSB records;
- (4) Establish a file system using the file plan to assure that all record material is regularly filed and/or maintained in an electronic environment and in designated directorate workspaces; and
- (5) Ensure employees within the Office take annual records management training and any other related training and participate in records management activities in accordance with DNFSB policies and procedures.
- (6) Appoint records liaisons within their offices to work with the Records Officer in accomplishing the duties required by this Directive.

E. All DNFSB employees are responsible for:

- (1) Creating and managing the records necessary to document the Agency's official activities and actions, including those records generated by DNFSB contractors, in accordance with DNFSB policies and procedures;
- (2) Disposing of records only in accordance with approved records schedules;
- (3) Never removing records from DNFSB without authorization;
- (4) Filing records in accordance with office file plans and maintaining and disposing of personal papers and non-record materials separately from records;
- (5) Identifying all records, in any format, in the employee's possession, and transferring them to another DNFSB employee or their supervisor before separating or transferring to another organization. Note: Non-records and records which have met their disposition per appropriate records schedule should be destroyed unless subject to FOIA, litigation or audit; and
- (6) Taking annual records management training and any other related training.

- (7) Preserving documents subject to a litigation hold and producing documents required for investigations or lawsuits.

8. **CONTROL MEASURES**

- A. See Section 8 of OP-22.1-1, Internal Control Program Operating Procedures.
- B. In accordance with 36 CFR Chapter XII, Subchapter B – *Records Management*, a Records Management Self-Assessment (RMSA) shall be conducted and submitted to NARA annually.
- C. In accordance with OMB M-12-18, *Managing Government Records Directive* of 24 Aug 2012 an annual report from the Senior Agency Official for Records Management will be submitted to NARA annually. This report demonstrates how DNFSB is achieving the goals of the Directive and other important initiatives as identified by NARA.

9. **REFERENCES**

- A. 44 U.S.C., Chapter 21, *National Archives and Records Administration*
- B. 44 U.S.C., Chapter 29, *Records Management*
- C. 44 U.S.C. Chapter 31, *Records Management by Federal Agencies (Federal Records Act)*
- D. 44 U.S.C. Chapter 33, *Disposal of Records*
- E. 36 CFR Chapter XII, Subchapter B, *Records Management*
- F. OMB M-12-18, *Managing Government Records Directive* of 24 Aug 2012
- G. OMB Circular No. A-130, *Management of Federal Information Resources*
- H. 10 C.F.R., Chapter XVII, Part 1703, *Public Information and Requests*
- I. 41 C.F.R. 102-193, *Creation, Maintenance, and Use of Records*
- J. 18 U.S.C., Chapter 101, §2071, *Records and Reports Concealment, Removal, or Mutilation*
- K. DoD 5015.02-STD, *Electronic Records Management Software Applications Design Criteria Standard* of 25 April 2007
- L. NARA Bulletin 2013-02, *Guidance on a New Approach to Managing Email Records* of 29 August 2013

- M. NARA Bulletin 2013-03, *Guidance for Agency Employees on the Management of Federal Records, Including Email Accounts, and the Protection of Federal Records from Unauthorized Removal*
- N. NARA Bulletin 2014-04, *Revised Format Guidance for the Transfer of Permanent Electronic Record*
- O. *NARA Management Guide Series 1995*

10. DEFINITIONS

- A. Continuity of Operations Plan (COOP) is a DNFSB's plan for the capability to continue its Mission Essential Functions without unacceptable interruption during a national security emergency.
- B. Disposition means those actions taken regarding records no longer needed to conduct the regular current business of the agency (§1220.18 of reference (E)).
- C. Documentary Materials is a collective term referring to recorded information, regardless of the medium; or the method or circumstances of recording (§1220.18 of reference (E)).
- D. Electronic Messages mean electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.
- E. Electronic Messaging Accounts mean accounts that send electronic messages.
- F. Electronic Record means any information that is recorded in a form that only a computer can process and that satisfies the definition of a Federal record in §3301 of reference (D) (§1220.18 of reference (E)).
- G. File Plan is a listing of every folder within every record series in an office.
- H. Litigation Hold is the temporary preservation of documents and physical evidence necessary to preserve evidence in an investigation, in anticipation of litigation, or during a pending lawsuit. A litigation hold is in addition to normal document retention requirements and is not a substitute for normal requirements.
- I. Official DNFSB Information Systems are information systems that have received approval pursuant to the procedures set forth in the DNFSB Configuration Management Plan.
- J. Personal Papers are 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 (§1220.18 of reference (E)).

- K. Preserve means to safeguard or protect for future use.
- L. Recorded Information includes all traditional forms of records, regardless of physical form or characteristics; including information created, manipulated, communicated, or stored in digital or electronic form (§3301 of reference (D) PL 113-187).
- M. Records include all recorded information, regardless of physical form or characteristics, made or received by an agency of the United States Government 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 Government or because of the informational value of data in them; and does not include library and museum material made or acquired and preserved solely for reference or exhibition purposes or duplicate copies of records preserved only for convenience (§3301 of reference (b), PL 113-187).
- N. Records Maintenance and Use means any activity involving location of records of a Federal agency; storage, retrieval, and handling of records kept at office file locations by or for a Federal agency; processing of mail by a Federal agency; or selection and utilization of equipment and supplies associated with records and copying (§2901 of reference (b)).
- O. Records Management means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations (§2901 of reference (b)).
- P. Records Management Applications (RMAs) are software used to categorize, locate, store, and retrieve records and identify those that are due for disposition (reference (l)).
- Q. Series, or Records Series means file units or documents 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 (§1220.18 of reference (c)).

- R. Vital Records are those agency records that are needed to meet operational responsibilities under national security emergencies or other emergency or disaster conditions (emergency operating records) or to protect the legal and financial rights of the government and those affected by government activities (legal and financial rights records) (§1223.2 of reference (c)).
11. CONTACT. Address questions concerning this Directive to the Office of the General Manager.

A handwritten signature in black ink, appearing to read "Sean Sullivan", written over a horizontal line.

Sean Sullivan
Chairman

AFFIRMATION OF BOARD VOTING RECORD

SUBJECT: Defense Nuclear Facilities Safety Board Records Management Program (RM)

Doc Control#2017-300-022

The Board, with Board Member(s) Sean Sullivan, Bruce Hamilton, Jessie H. Roberson, Daniel J. Santos, Joyce L. Connery *approving*, Board Member(s) none *disapproving*, Board Member(s) none *abstaining*, and Board Member(s) none *recusing*, have voted to approve the above document on February 1, 2017.

The votes were recorded as:

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIPATING*	COMMENT	DATE
Sean Sullivan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	01/31/17
Bruce Hamilton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	01/31/17
Jessie H. Roberson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	02/01/17
Daniel J. Santos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	02/01/17
Joyce L. Connery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	01/31/17

*Reason for Not Participating:

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Board Members.


Assistant Executive Secretary to the Board

Attachments:

1. Voting Summary
2. Board Member Vote Sheets

cc: Board Members
OGC
OGM Records Officer
OTD

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET**

FROM: Sean Sullivan

SUBJECT: Defense Nuclear Facilities Safety Board Records Management Program (RM)

Doc Control#2017-300-022

Approved X Disapproved _____ Abstain _____

Recusal – Not Participating _____

COMMENTS: Below _____ Attached _____ None X



Sean Sullivan

1/31/17

Date

Cameron Shelton

From: Bruce Hamilton
Sent: Tuesday, January 31, 2017 3:58 PM
To: Cameron Shelton
Cc: ExSec
Subject: Re: Notational Vote: Doc# 2017-300-022, Defense Nuclear Facilities Safety Board Records Management Program (RM) - BLUE FOLDER

I approve.
I have no comments.

Bruce Hamilton
[Redacted]

----- Original Message -----

From: Cameron Shelton <[Redacted]>
Date: Tue, January 31, 2017 8:38 AM -0800
To: Bruce Hamilton <[Redacted]>, "Daniel J. Santos" <[Redacted]>, Jessie Roberson <[Redacted]>, Joyce Connery <[Redacted]>, Sean Sullivan <[Redacted]>
CC: James Biggins <[Redacted]>, Katherine Herrera <[Redacted]>, ExSec <[Redacted]>
Subject: Notational Vote: Doc# 2017-300-022, Defense Nuclear Facilities Safety Board Records Management Program (RM) - BLUE FOLDER

This email is an electronic record of Notational Vote. Voting ballot will follow shortly. Also, accepting electronic votes.

**DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET**

FROM: Members of the Board
SUBJECT: Defense Nuclear Facilities Safety Board Records Management Program (RM)

DOC#2017-300-022

Approved _____
Disapproved _____
Abstain _____
Recusal – Not Participating _____

COMMENTS:

Below _____
Attached _____
None _____

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

NOTATIONAL VOTE RESPONSE SHEET


FROM: Jessie H. Roberson

SUBJECT: Defense Nuclear Facilities Safety Board Records Management Program (RM)

Doc Control#2017-300-022

Approved **Disapproved** **Abstain**
Recusal – Not Participating

COMMENTS: **Below** **Attached** **None**



Jessie H. Roberson
02/01/17

Date

Cameron Shelton

From: Daniel J. Santos
Sent: Wednesday, February 01, 2017 9:00 AM
To: Cameron Shelton; Shelby Qualls
Subject: RE: Notational Vote: Doc# 2017-300-022, Defense Nuclear Facilities Safety Board Records Management Program (RM) - BLUE FOLDER

Approved.

From: Cameron Shelton
Sent: Tuesday, January 31, 2017 11:38 AM
To: Bruce Hamilton <[REDACTED]>; Daniel J. Santos <[REDACTED]>; Jessie Roberson <[REDACTED]>; Joyce Connery <[REDACTED]>; Sean Sullivan <[REDACTED]>
Cc: James Biggins <[REDACTED]>; Katherine Herrera <[REDACTED]>; ExSec <[REDACTED]>
Subject: Notational Vote: Doc# 2017-300-022, Defense Nuclear Facilities Safety Board Records Management Program (RM) - BLUE FOLDER

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**DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET**

FROM: Members of the Board
SUBJECT: Defense Nuclear Facilities Safety Board Records Management Program (RM)

DOC#2017-300-022

Approved _____
Disapproved _____
Abstain _____
Recusal – Not Participating _____

COMMENTS:

Below _____
Attached _____
None _____

Cameron Shelton
Assistant Executive Secretary
Office of the Chairman

DEFENSE NUCLEAR FACILITIES SAFETY BOARD
NOTATIONAL VOTE RESPONSE SHEET

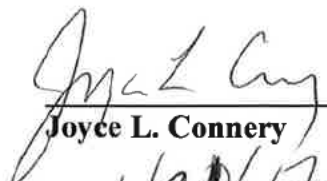
FROM: Joyce L. Connery

SUBJECT: Defense Nuclear Facilities Safety Board Records Management Program
(RM)

Doc Control #2017-300-022

Approved **Disapproved** **Abstain**
Recusal - Not Participating

COMMENTS: **Below** **Attached** **None**



Joyce L. Connery
1/30/17

Date 