



U.S. DEPARTMENT OF
TRANSPORTATION

Order

Subject
FHWA Records Management

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Administration**

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1. **What is the purpose of this directive?** This directive issues revised Federal Highway Administration (FHWA) policy, responsibilities, and procedures to assist FHWA employees and contractors in the management of Federal records in all formats, including paper and electronic.
2. **Does this directive cancel an existing FHWA directive?** Yes. This directive cancels [FHWA Order M 1324.1A](#), FHWA Files Management and Records Disposition Manual, issued November 4, 1999.
3. **What is the scope of this directive?** This directive is applicable to all FHWA staff in Washington Headquarters and field offices, FHWA contractors, and users of Agency information resources.
4. **What are the authorities for this directive?**
 - a. [Title 44, United States Code \(U.S.C.\), Chapter 29](#), Records Management by the Archivist of the United States and by the Administrator of General Services.
 - b. [Title 44, U.S.C., Chapter 31](#), Records Management by Federal Agencies.
 - c. [Title 44, U.S.C., Chapter 33](#), Disposal of Records.

- d. [Title 5, U.S.C., Section 552a](#), The Privacy Act of 1974, As Amended.
- e. Title 36, Code of Federal Regulations (CFR), Chapter XII, [Subchapter B](#), Records Management.
- f. [Office of Management and Budget \(OMB\) Circular A-130](#), Management of Federal Information Resources, Revised, (Transmittal Memorandum No. 4), dated November 28, 2000.
- g. [OMB Memorandum M-06-15](#), Safeguarding Personally Identifiable Information, dated May 22, 2006.
- h. [Department of Transportation \(DOT\) Order 1351.28](#), Records Management, dated November 1, 2010.

5. **What is the background concerning this directive?**

- a. The records of a Federal agency are its primary method for documenting how it fulfills its mission. The Federal records management policy issued by the National Archives and Records Administration (NARA) requires Federal agency managers to take an active role in creating, receiving, maintaining, and preserving adequate and proper documentation (in all formats, including paper and electronic) of their program functions, and to maintain an active, continuing program for the economical and efficient management of Federal agency records. NARA-approved retention guidance for FHWA records is located in the [FHWA Records Disposition Schedules](#) and the [General Records Schedules](#).
- b. Due to the issuance of DOT Order 1351.28 on November 1, 2010, and other subsequent DOT guidance, this FHWA directive provides updated FHWA policy elements. For example, the responsibilities of FHWA offices, employees, and contractors are more detailed in this directive than in FHWA Order M 1324.1A.

6. **What are the key records management definitions?**

- a. **Accessioning.** The process of transferring physical and legal custody of permanent records from FHWA to NARA, according to [36 CFR 1235](#).
- b. **Cutoff.** Breaking, or ending, files at regular intervals, usually at the close of a fiscal or calendar year, to permit their destruction/deletion or transfer to NARA and, for correspondence files, to permit the establishment of new files. Case files, such as project files, are generally cut off at the end of the year in which the case (project) is closed. Cutoff is sometimes called “file cutoff” or “file break.”
- c. **Disposition.** The action taken regarding records no longer needed for

immediate access in current office space. This action includes transfer to NARA's Federal records centers (FRCs), transfer of permanent records to the custody of NARA, and destruction/deletion of temporary records within FHWA offices.

- d. **Disposition authority.** Legal approval of the Archivist of the United States (previously via the Standard Form (SF) 115, Request for Disposition Authority, process, and now done in the Electronic Records Archive (ERA)) authorizing FHWA to transfer permanent records to NARA or carry out the destruction/deletion of temporary records. Legal approval must be obtained from NARA and also, for certain records proposed as temporary, from the Government Accountability Office (GAO).
- e. **Document Removal Request Form ([DOT Form 1324.3B](#)).** A form providing authorization from FHWA's Office of Chief Counsel to a departing DOT employee to retain for their personal use copies of documents and other materials that they drafted, reviewed, or otherwise acted upon, provided that such retention does not:
 - (1) Diminish the official records of the Agency;
 - (2) Violate confidentiality required by national security, privacy, or other interests protected by law or waive any applicable privileges; or
 - (3) Exceed normal administrative economies.
- f. **DOT Records Exit Checklist ([DOT Form 1324.3A](#)).** A form reviewed and approved by the FHWA Records Officer (see paragraph 6y) or the FHWA Office of Chief Counsel during the exit process when employees and contractors depart or transfer on a permanent basis or for an extended period of time from FHWA. Departing employees should notify their program coordinator of their anticipated departure date as soon as possible to receive this and other clearance documents, such as DOT Form 1324.3B; then, they should schedule their exit interview with the Records Officer no later than five business days prior to departure. Departing senior officials should contact the Office of Chief Counsel to schedule a briefing and/or an exit interview at least two weeks prior to their departure date.
- g. **Electronic information system.** A system that contains and provides access to computerized Federal records and other information, as defined in [36 CFR 1236](#). An electronic information system owner is the person responsible for the management of the system.
- h. **Electronic records.** Any information that is recorded in a form that only a computer can process and that satisfies the definition of a Federal record in [44 U.S.C. 3301](#). Electronic records include electronic information systems, emails, instant messaging, and Web information, among others.

- i. **Electronic Records Archives (ERA).** A NARA system that allows Federal agencies to perform records management transactions with NARA online. Agency records management staff use ERA to draft new records retention schedules for records in any format, officially submit those schedules for approval by NARA, request the transfer of records in any format to NARA for accessioning or pre-accessioning, and submit electronic records for storage in the ERA electronic records repository.
- j. **Federal records center (FRC).** A facility, operated by NARA, for the low-cost storage and servicing of records pending destruction or transfer to the custody of NARA.
- k. **File.** Can meet one of the following definitions:
 - (1) An accumulation of records or non-record materials arranged according to a plan.
 - (2) A unit, such as a folder, microform, or electronic medium, containing such records and non-record material.
 - (3) Storage equipment, such as a filing cabinet.
 - (4) In electronic recordkeeping, an organized collection of related data, usually arranged into logical records that are stored together and treated as a unit.
- l. **General Records Schedule (GRS).** A NARA-issued schedule governing the disposition of specified records common to most or all Federal Government agencies. The [GRS](#) includes descriptions with disposition statements for administrative records such as those relating to the budget, personnel, supply, and other functions common to most Federal agencies.
- m. **Medium (or media).** The physical form of recorded information, including paper, film, diskette, magnetic tape, CD-ROM, DVD, solid state drive, and other material on which information can be recorded or stored.
- n. **National Archives.** The repository for records that the Archivist of the United States has determined, via the records disposition schedule process, to have sufficient historical or other value to warrant their continued preservation by the Federal Government. The National Archives is part of NARA.
- o. **Non-records.** Federally owned informational materials that do not meet the statutory definition of Federal records in [44 U.S.C. 3301](#) or that have been excluded from coverage by the definition, such as the following materials identified in [36 CFR 1220.18](#):

- (1) Extra copies of documents kept only for reference,
 - (2) Stocks of publications and processed documents; and
 - (3) Library or museum materials intended solely for reference or exhibit.
- p. **Permanent records.** Records appraised by NARA as having sufficient historical or other value to warrant continued preservation by the Federal Government beyond the time they are needed for administrative, legal, or fiscal purposes.
- q. **Personal papers.** Documentary materials belonging to an individual that are not used to conduct agency business, related solely to an individual's own affairs, and used exclusively for convenience.
- r. **Personally Identifiable Information (PII).** Any information that permits the identity of an individual to be directly or indirectly inferred, including any information which is linked or linkable to that individual. This definition applies to all natural persons. **Sensitive PII** is PII that is disclosed without the express authorization of the subject of the information and could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual. Examples of sensitive PII include:
- (1) Social Security Number;
 - (2) Biometric identifier such as a fingerprinting;
 - (3) Driver's license number;
 - (4) Financial account number;
 - (5) Citizenship or immigration status;
 - (6) Personal telephone number;
 - (7) Home address;
 - (8) Personal email address;
 - (9) Medical information in conjunction with the identity of an individual (directly or indirectly inferred); or
 - (10) The context of the PII, such as a list of employee names with poor performance ratings.
- s. **Records.** All books, papers, maps, machine-readable materials, and other documentary materials, regardless of physical form or characteristic,

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 (as defined in [44 U.S.C. 3301](#)).

- t. **Records custodian.** Individual within an office unit who manages the official Agency files, or the individual program manager who maintains the files if the office files are not in a centralized location. This term is often used interchangeably with “files custodian.”
- u. **Records Destruction Form ([DOT Form 1324.2](#)).** A form used to meet the requirement in Section 28.4.11.8 of DOT Order 1351.28 that Operating Administrations are to maintain approved certifications for all records destroyed in accordance with records disposition schedules. DOT Form 1324.2 should be completed and submitted to the office records liaison (see paragraph 6w) before destruction or deletion of a Federal record. After the records liaison has reviewed, approved, and signed the form, the records listed on the form may then be destroyed or deleted. After destruction/deletion, the dated and signed version of the form should be sent to the FHWA Records Officer and the records liaison.
- v. **Records disposition schedule.** A document providing authority for the final disposition of recurring and nonrecurring records. Also called “records schedule,” “records control schedule,” or “records retention schedule,” it may be in the form of the Standard Form (SF) 115 Request for Records Disposition Authority, the GRS, or part of the ERA process. Records disposition schedules are documents providing mandatory instructions for what to do with records no longer needed for current Federal Government business, with provisions of authority for the final disposition of records. Schedules become legal documents upon signature/approval of the Archivist of the United States.
- w. **Records liaison.** The designated representative within an FHWA office responsible for coordinating the management of their respective office’s records. The records liaison serves as liaison with records custodians and the FHWA Records Officer.
- x. **Records management.** The planning, controlling, directing, organizing, training, promoting, and other managerial activities related to the creation, maintenance and use, and disposition of records to achieve adequate and proper documentation of Federal policies and transactions and effective and economical management of Agency operations.
- y. **Records Officer.** The individual delegated to be responsible for overseeing the Agency’s records management program. The position of

FHWA Records Officer is in the Office of Information Technology Services (HAIS), IT Plans and Policy Division (HAIS-30).

- z. **Records series.** 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. The records disposition schedules (via the SFs 115 or ERA and the GRS) include listings of records series.
- aa. **Temporary records.** Records approved by NARA for disposal, either immediately or after a specified retention period or event.
- bb. **Unscheduled records.** Records whose final disposition has not been approved by NARA via the GRS or ERA process.
- cc. **Vital Records.** Records essential to the continued functioning or reconstitution of an organization during and after an emergency, and also those records essential to protecting the rights and interests of that organization and of individuals directly affected by its activities. Sometimes called “essential records.”

7. **What is the FHWA policy concerning records management?**

- a. The FHWA is committed to providing effective records management.
- b. The FHWA implements the policies and practices described in the authorities in paragraph 4. For example, FHWA shall create and maintain proper and adequate records pertaining to its organization, functions, policies, decisions, procedures, and essential transactions necessary to protect the legal and financial rights of the Federal Government and of persons directly affected by FHWA’s activities, per [44 U.S.C. 3101](#).
- c. Official records are the property of the Federal Government, not the property of individual employees, and may not be removed from FHWA without proper authority.
- d. Records are to be destroyed, deleted, or preserved in accordance with the [GRS](#) and the [FHWA Records Disposition Schedules](#). These schedules provide authority for the retention and disposition of records. Records shall not be destroyed or deleted except as authorized by these NARA-approved schedules.
- e. The FHWA Records Disposition Schedules are to be reviewed annually to determine if edits or additions are necessary. The FHWA Records Officer must be contacted whenever changes are identified in order for the

Records Officer to initiate the FHWA and NARA review and approval process.

- f. As with records in traditional paper formats, all electronic records (including electronic information systems, emails, instant messaging, and Web information, among others) and other machine-readable records created, maintained, and used in FHWA as defined in 44 U.S.C. 3301 are subject to policies and guidance set in this directive.
 - g. Destruction and/or deletion of FHWA records are to be documented on DOT Form 1324.2 by following the instructions found on the reverse side of the form.
 - h. Personal papers are to be maintained and filed separately from official papers in order to avoid inadvertent destruction or removal of official record material, facilitate retrieval of official files and thus enhance operational efficiency, and eliminate the likelihood that personal papers will be confused with official records.
 - i. Records that contain National Security classified, controlled unclassified information (CUI), PII, or other types of sensitive information are to be protected by appropriate DOT and FHWA safeguards. For example, records containing PII are to be disclosed only under limited circumstances, as outlined in the [Privacy Act](#).
 - j. All FHWA offices are to maintain a program for the selection, protection, and reporting of vital records as required in the Agency's Continuity of Operation Plan (COOP).
 - k. The FHWA will follow the DOT Records Departure Toolkit when FHWA employees, senior officials, and contractors are about to depart or transfer on a permanent basis, or for an extended period of time, from the employ of FHWA; this involves the review and approval of the DOT Records Exit Checklist (DOT Form 1324.3A) and the Document Removal Request Form (DOT Form 1324.3B).
8. **What are the records management responsibilities of FHWA officials and other employees?**
- a. The Federal Highway Administrator is responsible for establishing and maintaining an active, continuing program for the economical and efficient management of the records of the Agency, as well as complying with the responsibilities of Heads of DOT Organizations as specified in Section 28.6.7 of [DOT Order 1351.28](#).
 - b. The FHWA Records Officer is responsible for:

- (1) In cooperation with NARA, developing and implementing Agency-wide records management policies, standards, and procedures consistent with [DOT Order 1351.28](#) for the creation, use, maintenance, and disposition of official records;
- (2) Assisting with overseeing the implementation of Agency-specific records management product and service acquisitions;
- (3) Coordinating with NARA and FHWA Contracting Officers the interagency agreement contracts for records storage, retrieval, and other services in FRCs;
- (4) Coordinating the transfer, retrieval, and re-filing of inactive records to and from FRC storage;
- (5) Applying the dispositions to records stored on- and off-site and notifying the appropriate program office and the FRC facility of changes in dispositions due to updated records disposition schedules;
- (6) Compiling and maintaining current records disposition schedules for all FHWA official records;
- (7) Reviewing and approving or disapproving final list of records eligible for disposition;
- (8) Assisting the Office of Chief Counsel, the Office of Human Resources, and program offices in the review and approval of the DOT Records Exit Checklist (DOT Form 1324.3A) and Document Removal Request Form (DOT Form 1324.3B) when FHWA employees and contractors depart FHWA;
- (9) Providing technical assistance, training, and assistance in all aspects of records management activities to all FHWA employees and offices as required;
- (10) Promoting and conducting records management training for all FHWA employees;
- (11) Assisting in the development of COOP plans and guidance regarding vital records;
- (12) Conducting periodic records management reviews within FHWA to ensure compliance with this directive, DOT policies, and other applicable regulations; and
- (13) Maintaining liaison with the network of FHWA records liaisons, the Office of the Secretary of Transportation (OST), and NARA.

- c. The Federal Highway Administrator, Director of Innovative Program Delivery, Directors of Field Services and Technical Services, Associate Administrators, Chief Counsel, Chief Financial Officer, Division Administrators, and Federal Lands Highway Division Engineers are responsible for:
 - (1) Designating a records liaison for their respective organizations, informing the FHWA Records Officer of the designee's name and contact information, and notifying the Records Officer of any changes;
 - (2) Identifying vital records for Agency COOP requirements and providing accessibility to their staffs; and
 - (3) Supporting records management and providing guidance to their staffs to ensure that their employees and contractors are aware of responsibilities to maintain and safeguard Agency records.

- d. Records liaisons are responsible for:
 - (1) Promoting the FHWA records management program within their respective organizations;
 - (2) Providing guidance and oversight to ensure the effective implementation of NARA, DOT, and FHWA records management policies and procedures within their respective organizations;
 - (3) Acting as liaisons between their organizations and the FHWA Records Officer to coordinate records management activities;
 - (4) Working with their organizations' staffs and the FHWA Records Officer to ensure that all records are filed according to the office file plan and are described accurately in accordance with the Agency's records disposition schedules;
 - (5) Working with their organizations' staffs and the FHWA Records Officer to ensure that records are transferred to and retrieved from NARA's FRCs in accordance with established FHWA and NARA procedures;
 - (6) Working with their organizations' staffs and the FHWA Records Officer to ensure that temporary records are disposed of in accordance with the GRS and approved FHWA records disposition schedules;

- (7) Working with their organizations' staffs and the FHWA Records Officer to ensure that permanent records are transferred to NARA according to approved FHWA records disposition schedules;
 - (8) Coordinating and securing necessary approvals within FHWA and with NARA whenever records in FRCs are eligible to be destroyed or transferred to the custody of NARA;
 - (9) Reviewing and approving internal FHWA disposals and deletions of eligible records via the DOT Form 1324.2 process as described in paragraph 6u and on the reverse side of the form; and
 - (10) Conducting periodic records management reviews within their organizations, with guidance from the FHWA Records Officer, to ensure compliance with applicable regulations and FHWA standards and procedures, including protection of vital records.
- e. Program managers and electronic information system owners (as described in paragraph 6g, in coordination with their respective IT project managers, are responsible for:
- (1) Performing regular reviews of the electronic system's performance and compliance with legal and regulatory requirements;
 - (2) Identifying the office of record for the records being created;
 - (3) Specifying if the data being created is record or non-record material;
 - (4) Determining in what format the official record will be maintained for its life cycle, i.e. paper, electronic, or other medium;
 - (5) Applying the appropriate disposition instructions for the files being created, including the instructions for the disposition of permanent records;
 - (6) Ensuring staff obtain approval from the records liaison before records are destroyed or deleted according to the disposition instructions and that staff report to the records liaison and FHWA Records Officer after the destruction/deletion of records (see paragraph 6u;
 - (7) Establishing appropriate levels of security to provide the necessary protection for records;
 - (8) Implementing systems to back up electronic records to safeguard against the loss of records due to equipment malfunction, deterioration of the record medium, or human error;

- (9) Requiring that all modifications, upgrades, and changes to existing systems comply with DOT and FHWA policies;
 - (10) Coordinating with the FHWA Records Officer during the life cycle of each system, including working with the Records Officer to obtain records disposition approval from NARA;
 - (11) Ensuring that forms and reports produced on a system are subject to FHWA forms management, reports control, and information collections programs; and
 - (12) Ensuring that their departing employees and contractors follow the DOT Records Departure Toolkit by completing the DOT Records Exit Checklist (DOT Form 1324.3A) and, if applicable, the Document Removal Request Form (DOT Form 1324.3B).
- f. Information System Security Managers (ISSMs) in HAIS are responsible for the security and safety of all electronic records. The ISSMs provide direction designed to ensure that safeguards for the protection of the integrity, availability, and confidentiality of IT resources (e.g., data, information, applications, and systems) are integrated into and support the missions of FHWA.
- g. Contracting Officers and Contracting Officer's Representatives are responsible for:
- (1) Ensuring that all contracts and agreements include recordkeeping requirements as outlined in this directive; and
 - (2) Coordinating with the appropriate records liaison and the FHWA Records Officer on the transfer of records from contractors to FHWA.
- h. All FHWA employees, including FHWA contractors, and record owners are responsible for:
- (1) Ensuring that established procedures are followed in the creation, maintenance, storage, and disposition of official records as outlined in this directive and the [FHWA Records Management Manual](#).
 - (2) Documenting their business activities by implementing recordkeeping requirements established by this directive and with guidance established by their offices;
 - (3) Organizing their files in a manner that facilitates efficient, accurate, and effective retrieval of information;

- (4) Ensuring that permanent series of records are clearly identified and maintained separately from temporary series of records to prevent accidental destruction of the permanent series;
- (5) Minimizing the accumulation of unnecessary files;
- (6) Cutting off files annually and separating inactive records from the active files;
- (7) Securing National Security Classified records, PII, CUI, and other sensitive records to prevent unauthorized access to them;
- (8) Notifying their records liaison and the FHWA Records Officer of newly established records series and electronic information systems, as well as changes to the descriptions and retentions of existing series and systems, for records disposition scheduling requirements;
- (9) Receiving approval from the records liaison before the destruction and/or deletion of records and reporting on the destruction/deletion to the records liaison and FHWA Records Officer, via the DOT Form 1324.2 process described in paragraph 6u;
- (10) Reporting any unlawful or accidental removal, defacing, alteration, or destruction of records to the FHWA Records Officer; and
- (11) Completing the DOT Records Exit Checklist (DOT Form 1324.3A) and, if appropriate, the Document Removal Request Form (DOT Form 1324.3B) when departing or transferring on a permanent basis, or for an extended period of time, from FHWA.

9. **Where can I obtain additional information in carrying out this directive?**

- a. The FHWA [Records Management Help Page](#) has links to records management policies, regulations, guidance, tools, and other useful information.
- b. For additional information on the FHWA records management program, contact the FHWA Records Officer in [HAIS-30](#).



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