

Approved: 01-22-96  
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SUBJECT: APPROPRIATE RECORDS FOR A STRATEGICALLY ALIGNED  
DEPARTMENT

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1. OBJECTIVES.

- a. To remind all Department of Energy employees and contractors in the possession of records created or maintained for Government use of their legal obligations for these records.
- b. To ensure that appropriate records are created to adequately and properly document the policies and programs of the Department and that they are not destroyed or removed from Federal custody.

2. APPLICABILITY.

- a. Department of Energy employees: to all records (regardless of media or custodian) created and/or maintained for Government use and delivered to or falling under the legal control of the Federal Government.
- b. Department of Energy contractors: to all records (regardless of media or custodian) created and/or maintained for Government use and delivered to or falling under the legal control of the Federal Government.

3. BACKGROUND. Appropriate attention to records management requirements is especially critical in downsizing and/or terminating Department programs. Insight to date has revealed that, in such situations, records are often misplaced or destroyed, documentation on work in progress is overlooked and, unless procedures are in place to prevent it, records are unlawfully removed from Federal custody. The end result is missing, incomplete, and/or inadequate scientific and technical records.

4. REQUIREMENTS. The creation, protection and preservation of records that adequately document the missions, policies and programs of the Department are required by law and regulation. These administrative, scientific and technical

records are often the only demonstrable product or result of

the work performed by the Department. The value of these records is in their availability to interested audiences, their long term historical significance, and in the information needed to protect the legal and financial rights of the Government and persons directly affected by the Department's activities.

Strategic realignment and closeout plans must ensure that the Department's records are not destroyed or removed by departing employees and that documentation is complete, including that on work in progress. Debriefings of departing staff members are a crucial part of the documentation process and should capture the how and why of mission accomplishment, and its scientific and historical significance. Steps must be taken to ensure that information from debriefings (actions that carry out the mission of the program, results achieved, the knowledge or information gained, and the comprehension and understanding consequent to having acquired it) is properly documented and preserved.

Some organizations have undertaken to produce summaries that document the decisions and history of their programs and projects. These efforts shall be considered complementary and not supplementary to staff member responsibilities.

5. RESPONSIBILITIES.

- a. Each individual shall ensure that documentation of their responsibilities and activities is created and made available for future reference.
- b. To the degree appropriate and feasible, all managers must ensure that the Department's intellectual property is captured and preserved; and must remind employees of the sanctions provided for the unlawful removal or destruction of records (18 United States Code (U.S.C.) 2071).

6. REFERENCES.

- a. 36 Code of Federal Regulations 1222, Creation and Maintenance of Records; Adequate and Proper Documentation.
- b. 44 U.S.C. 3101, which requires each agency to create and maintain records that protect the legal and financial rights and interests of the Government and persons directly affected by the agency.
- c. 18 U.S.C. 2071, which provides that the maximum penalty for the unlawful destruction, damage, or alienation of records is a \$2,000 fine, 3 years in prison, or both.

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3 (and 4)

d. DOE 1324.5B, RECORDS MANAGEMENT PROGRAM.

7. CONTACT.

a. Field. Records Management Program Coordinator or site Records Manager.

b. Headquarters. Departmental Records Officer, Office of Information Management (301-903-4353).

BY ORDER OF THE SECRETARY OF ENERGY:

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