DOE O 243.1C, *Record Management Program*
Frequently Asked Questions (FAQs)

The following FAQs were developed and compiled to clarify the intent of certain requirements of DOE O 243.1C and help toward the implementation of the Order. Please note these FAQs do not add or eliminate any requirements provided in DOE O 243.1C or other relevant regulations.

1. Definition of Record

Q: Are there different places to find the definition of a record within DOE policy, Federal regulations, and/or relevant statues?
A: Yes. While the definition of a record can be found in multiple sources (e.g., DOE O 243.1C, 44 U.S. Code § 3301, and 36 CFR 1220.18), there is no fundamental difference between the definitions at each source. The legal definition of a record can be found in the NARA requirements.

Q: How do I determine if something is a record?
A: See the attached charts in Appendix A, *How to Determine Whether Information is a Record*, which provide guidance to help determine if something is a record.

2. Types of Records

Q: Are Federal and Contractor records maintained and retained differently?
A: No. Federal and Contractor records are created, maintained, safeguarded, and disposed of in accordance with 36 Code of Federal Regulations (CFR), Chapter XII, Subchapter B, "Records Management," and the National Archives and Records Administration (NARA)-approved Records Disposition Schedules. Records retention standards are applicable for all classes of records, regardless of ownership.

Q: Do Federal and Contractor records need to be kept separate?
A: No. There is no requirement to separate Federal vs. Contractor records. However, it may be useful to separate or make a designation between these records when they are created to ensure the correct designation and records schedule are applied to each record.

Q: What types of records can be found in Federal and Contactor operations?
A: First, there are two types of records found in Federal and Contractor operations: Government-owned (Federal) records and Contractor-owned (Contractor) records. However, some informational material may not meet the statutory definition of "record." Under Title 36 of the Code of Federal Regulations, documentary information not meeting the definition of record is a "nonrecord." An example of a nonrecord is "loaned" information. Whether documentary

information is "loaned" depends on how the information came into custody and how it is used. For example, proprietary information provided by a third party is loaned when there is an underlying agreement, such as a nondisclosure agreement, which provides for a specified duration or otherwise provides for specific disposition of the information. Third-party proprietary information related to technology transfer activities is typically loaned information, managed and disposed of in accordance with an agreement under which the information was received.

3. Training Requirements

Q: Are Records Management Programs required to provide records management training to all personnel who create or receive records, including subcontractors?
A: Yes. All personnel, including contractors and subcontractors, who generate or receive records, regardless of form or characteristics, must receive records management training.

Q: Do all personnel who create or receive records, including contractors and subcontractors, require the same baseline level of training?
A: Yes. All such personnel must receive the baseline training requirements as identified in NARA Bulletin 2017-01 and DOE O 243.1C. However, training can be tailored to the specific records management responsibilities, practices, and policies of the organization. For example, you may choose to add additional training unique to a site using a role-based approach to determine specific audience groups, and what level of training is required for each of those groups.

Q: Must the records management training provided to all personnel who create or receive records, including contractors and subcontractors, be provided as a separate training course?
A: No. As long as the training meets the baseline standards required, you may leverage an already existing training course to provide general records training to all personnel, including contractors and subcontractors who create or receive records. As an example, you may choose to include a records management training module in one or more of the following courses that are offered to new hires initially or to all personnel annually:
- New Hire Orientation
- Lab Refresher Training
- Cyber Security Training
- Security Awareness Training
- Privacy Training

Q: Are there any resources available that Records Management Programs can use to meet the training requirement or use as a template to create their own training?
A: Yes. Some resources available to use are:
- DOE Records Management (RM) 101 Training, available on Learning Nucleus
- NARA's Records Management Training Catalog
- NARA's Records Management Instruction Support (ReMIS)

Q: Do Records Management Programs need to identify the total number of personnel, including contractors and subcontractors, who require annual records management training in order to annually report completed training?

A: Yes. The total number of personnel, including contractors and subcontractors, who require annual records management training should be identified and tracked, as well as the number who have completed their training, so the percentage of completed training can be reported to DOE annually. This information is provided in a yearly report to NARA by the DOE Records Management Program Office to meet the annual requirement for reporting. Examples of how to identify the total number of personnel, including contractors and subcontractors, who require training may include:

- Partner with your Training organization to use tools already available to track required and completed training.
- Work with managers and/or supervisors to identify staff who create records and request that records management training is added to their training plan.
- Work with your Acquisitions and/or Contracts organization to identify contractors and subcontractors who create records and request that records management training is added to their training plan.

4. Electronic Records

Q: Do all records need to be managed in an electronic format?

A: Yes. Offices should manage their records, including email, in an electronic format to the fullest extent possible. The Federal government mandated in OMB M-19-21 to manage all permanent electronic records in an electronic format by 2019 and all temporary records in an electronic format by 2022. Additionally, NARA will stop accepting permanent and temporary paper and other analog records transfers after December 31, 2022.

Some suggested approaches for managing records electronically are:

- Map records to your organization's file plan to identify what retention schedule is appropriate to apply.
- Identify records management requirements and implement within your system, application, or cloud service using built-in capabilities. Records management requirements are documented in the Universal Electronic Records Management Requirements (see link UERM). These requirements can be met manually in limited circumstances through documented processes and procedures, semi-automated, or fully automated leveraging built-in records management retention capabilities, such as within Microsoft 365 (G5).
- Integrate with another system, service, or application. This should be done if the benefit of the integration outweighs the cost and risk of only using built-in capabilities. There are two methods to integration: Manage-in-place (using a 3rd party tool) and Transfer (moving record to a 3rd party repository).

Q: Are all emails considered records?

A: No. Personal, non-official email is not considered a record. Examples include messages about lunches, get-togethers, outside work club meetings, family updates, external functions, etc. All email that is created or received in connection with the transaction of the agency's public

business (such as discussion of a policy revision, review of a grant application, evidence of a decision made, etc.) is considered a record and needs to be managed accordingly and retained according to the appropriate NARA retention schedule. For all emails that are considered records, the Capstone Approach is applicable, and requires a seven-year retention whether the email is a Federal or Contractor record. In addition, emails of designated High-Level Officials that are considered records must be retained for 15 years and then sent to NARA as a permanent record. See [NARA FAQs about GRS 6.1, Email Managed under a Capstone Approach](#) for additional guidance.

Q: Can posting on social media sites create a record?
A: Yes. Social media posts are considered records when consistent with the description in DOE O 243.1C, paragraph 4.b.(8). The Order also provides a definition of "social media records" in Paragraph 56 in the Definition section.

Q: Do GRS/NARA/DOE records schedules apply to electronic records, including email records?
A: Yes. The DOE Records Disposition Schedules ([Disposition Schedules | Department of Energy](#)) provide the authority for the transfer, or disposal of records created and maintained by the Department of Energy. The [Federal Records Act](#) mandates that all records (all formats, including electronic formats) and electronic information systems be scheduled and requires the application of NARA-authorized schedules.

Q: Does DOE O 243.1C, *Records Management Program,* require electronic records, including email records, to be stored in one place and centrally managed?
A: No, that is not a requirement within DOE O 243.1C. However, records cannot be stored on a personal drive or IT service area dependent on an individual account for access.

5. Records Storage and Disposition

Q: Is there guidance available to assist with records storage and disposition?
A: Yes. NARA provides the following guidance on storage and disposition of records:
- [The FRC Toolkit](#) (physical records)
- [Accessioning Electronic Records](#)

Q: Should electronic records storage systems have search capabilities?
A: Yes. Search capabilities allow more efficient retrieval and location of records and ensure records can be found when needed. In addition, the definition of Electronic Document Management in DOE O 243.1C states that a "search mechanism to locate and retrieve documents" should be part of any system to manage electronic documents. The [UERM](#) also requires records be searchable as a mandatory function to identify records.

Q: Can an extension be requested for records disposal or accession to NARA for permanent retention?

A: Yes. For an extension on the disposal of records, or accession to NARA for permanent retention, a justification for non-concurrence of the disposal should be submitted consistent with current DOE and NARA requirements.

Is It A Record?

Recorded Information

↓

Are you or your organization the creator of the record? Did you generate or receive the information to use for your technical or administrative work in conducting agency business? — **YES** → **RECORD**

NO ↓

Does it contain informational value as evidence of your organization's functions, policies, decisions, procedures, operations, mission, programs, projects, or activities? — **YES** → **RECORD**

NO ↓

Is it material that originated in another office or outside your agency, but you commented or took action on the material? — **YES** → **RECORD**

NO ↓

Does it document business actions, such as: what happened, what was decided, what advice was given, who was involved, when it happened, the order of events and decisions? — **YES** → **RECORD**

NO ↓

Is it an original document related to agency business that does not exist elsewhere? — **YES** → **RECORD**

NO ↓

Is it a draft or interim document that has not been circulated to others or does not contain substantive comments and for which there is a final version being maintained? — **YES** → **Non-record**

NO ↓

Is it published or processed information that you received and use as reference? — **YES** → **Non-record**

NO ↓

Is it a copy of a document or correspondence kept only for convenience of reference on which no action is taken? — **YES** → **Non-record**

NO ↓

Is it information accumulated and maintained at the workplace, but which does not affect or reflect the transaction of your program business? — **YES** → **Non-record**

NO ↓

Is it junk mail or documentation that has no work-related informational or evidentiary value? — **YES** → **Non-record**

NO ↓

When in doubt, treat it as a record.
Contact your records management team for information.

Is It A Record?

Is it related to agency business or related to your responsibilities at the agency?

No → **Not a record**

Yes ↓

Are you the sender or creator? ←**No**→ Are you the recipient?

Yes ↓

Does it explain, justify, or document an action or decision?

No → **Not a record**

Yes ↓

It's a record

Yes ↓ (right branch)

Do you need to take an action?

No → **Not a record**

Yes ↓

Does it explain, justify, or document an action or decision?

No → **Not a record**

Yes ↓

It's a record