

Department of the Interior Bureau of Ocean Energy Management Manual

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Series: Administrative

Part 380: Records Management

Chapter 6: Managing Essential Records

Originating Office: Office of Budget and Administration

BOEMM 380.6

6.1 **Purpose.** This policy establishes the requirements necessary for the bureau to maintain an effective Essential (Vital) Records Program to identify, protect, and provide ready access to essential records necessary to ensure continuity of essential bureau functions in the event of a national, regional, or local disaster or emergency.

6.2 **Objectives.** The bureau's Essential Records Program objectives are to provide policy, planning, and guidance that ensure:

A. Emergency operating records vital to the continuity of essential bureau activities during a national, regional, or local disaster or emergency will be available remotely (electronic records) and at bureau relocation sites (electronic records and if necessary, physical records) if those sites are activated during the crisis.

B. The safeguarding of legal and financial records essential to the preservation of the legal rights and interests of the bureau and of persons directly affected by the bureau's actions.

C. Essential records are evaluated based on their necessity in carrying out emergency operations or in protecting the rights and interests of citizens and the government and not on their value as permanent records.

D. Such records will be easily retrievable and maintained in proper condition.

E. The necessary finding aids (folder lists, indexes, and metadata) are available at the relocation sites.

F. A current inventory of essential records available remotely or located at the relocation sites is readily accessible.

G. Commensurate training and guidance are provided for all applicable bureau staff, including roles and responsibilities.

6.3 **Authorities.**

- A. 44 U.S.C. 31, Records Management by Federal Agencies (Federal Records Act)
- B. Executive Order 12656, “Assignment of Emergency Preparedness Responsibilities” dated November 18, 1988
- C. Executive Order 13231, “Critical Infrastructure Protection in the Information Age” dated October 16, 2001
- D. Presidential Decision Directive 67, “Enduring Constitutional Government and Continuity of Government Operations” dated October 21, 1998
- E. National Security Presidential Directive (NSPD-51)/Homeland Security Presidential Directive (HSPD-20), National Continuity Policy dated May 4, 2007
- F. 36 CFR 1223, Managing Vital Records
- G. Federal Continuity Directive One (FCD-1), Federal Executive Branch National Continuity Program and Requirements Annex F dated January 17, 2017
- H. 900 DM 1, Emergency Management Program Policy, Responsibilities, and Requirements

6.4 **Definitions.** Refer to Appendix 1 in BOEMM 380.2, Electronic Records Management, for terms and definitions used within this Manual Chapter.

6.5 **Policy.** The bureau Essential Records Program will identify and safeguard emergency operating and legal and financial rights records necessary for the bureau’s essential emergency and recovery functions:

- A. Essential records must be identified in the bureau Records Inventory Database and updated annually. This inventory should include the titles of the essential records, their locations, medium of the records, and the names of the responsible offices.
- B. Identify emergency operating records needed remotely and at bureau relocation sites in order to perform assigned responsibilities during or after an emergency or disaster.
- C. Identify legal and financial rights records that the bureau believes should be safeguarded electronically for remote access and as necessary, safeguarded physically at a specified relocation site.
- D. Identify specific requirements for storing and periodically cycling (updating) copies of essential records. Offices and programs must determine the frequency of cycling (monthly, quarterly, annually) based on how current their essential records must be to meet

information needs and responsibilities. Cycling means the periodic removal of obsolete copies of essential records and their replacement with copies of current essential records.

E. Essential records must be easily retrievable using necessary finding aids (indexes) available at a specified relocation site.

F. Choose the most economical method (cloud storage, duplication, data replication, mirroring, migration) to protect electronic essential records. All essential records maintained on electronic media should be coordinated with the bureau Information Technology (IT) office to determine if IT-related contingency plans can meet the essential records' off-site storage/recovery requirements, including the potential for network or internet access not being available and to ensure that records are safe from external data breach.

G. Arrange for off-site storage of essential records in facilities not subject to the same emergency or disaster, but still reasonably accessible to bureau staff. Ensure facilities have proper environmental controls, fire suppression systems, and access controls to ensure the survival and security of essential records. Note that if the essential records include personally identifiable information, the appropriate privacy protections also apply. Be sure to consult with the bureau Privacy Officer, as necessary.

H. Provide proper access to any electronic information systems, software, hardware, and systems documentation necessary to use essential records in the event of an emergency.

I. Records recovery procedures should be included in the bureau's continuity of operations plan. The Essential Records Manager should work with emergency management personnel, information technology staff, and program managers to develop procedures that include:

(1) Notification of appropriate personnel to relate details about the nature of the emergency and the level of threat to the records.

(2) An assessment of the damage to records as soon as possible after the emergency and steps required to stabilize the condition of the records.

(3) Contact procedures for the National Archives and Records Administration and contractors who can provide records disaster recovery services, if necessary.

(4) Recovery and/or replacement of essential records and the resumption of normal business operations.

6.6 Responsibilities.

A. The bureau Director is responsible for designating an Essential Records Manager to implement an Essential Records Program that will ensure compliance with bureau policies.

B. The Essential Records Manager is responsible for:

- (1) On an annual basis, updating the roster of essential records for each bureau office contained in the bureau Records Inventory Database.
- (2) Ensuring that Essential Records Program includes each bureau region and that all staff are informed about essential records.
- (3) Ensuring the identification, safeguarding, maintenance, and regular updating of essential records stored off-site.
- (4) Ensuring adequate coordination occurs between records liaisons, continuity of operations planners, information technology contingency operations managers, and all other necessary program managers.
- (5) Assisting in obtaining space and security provisions for safeguarding essential records.
- (6) Assisting in the transfer of essential records to a Federal Records Center, approved electronic records management system, or other suitable off-site locations.
- (7) Ensuring the safeguarding of any records containing proprietary information.
- (8) Monitoring and evaluating the implementation of the bureau Essential Records Program.

C. Emergency Management Coordinators are responsible for the safeguarding of emergency operating records, in cooperation with the Essential Records Manager.

D. Employees are responsible for:

- (1) Coordinating the tracking and access of essential records with the bureau Essential Records Manager.
- (2) Safeguarding essential records within their offices and programs.
- (3) Notifying the Essential Records Manager of any damaged or at-risk essential records to ensure mitigation strategies are deployed.

6.7 **Legal Penalties.** Any Federal employee, contractor, consultant, intern, or volunteer who willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys Federal records shall be fined or imprisoned not more than three years, or both, and shall be removed from Federal service (18 U.S.C. 2071, Concealment, removal, or mutilation generally).