

Department of Homeland Security
Records and Information Management (RIM) Program

It is the responsibility of each Department of Homeland Security employee to manage records effectively and efficiently. To this end, in coordination with the National Archives and Records Administration (NARA), I have established records management procedures that will apply to all DHS entities. These procedures are mandatory and can be found in the Interim Management Directive # 0550, Records Management, and the publication entitled, "Department of Homeland Security Records Management Handbook" establishing the Records and Information Management Program. A copy of this publication will be posted on the DHS internal web page.

High level officials and program managers need to pay particular attention to their responsibilities as outlined in the Directive. If you have any questions about your records management responsibilities, please contact the DHS Records Officer.

This Memorandum serves as an overview of the most universal requirements found in the directive. It is not, however, intended as a substitute for being familiar with and complying with the directive in its entirety.

What is a record?

Title 44 of the United States Code, Section 3301, defines records as all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics that are:

- (1) made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business, and
- (2) preserved or appropriate for preservation by that agency or its legitimate successors 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.

What is a nonrecord?

Nonrecords are informational material that do not meet the definition of a record; e.g., extra copies of documents kept for convenience; reference stocks of publications; blank forms, formats, or form letters; documents that do not contain unique information or that were not circulated for formal approval, comment, or action; or documents that provide no evidence of agency functions and activities.

Are there criteria for determining whether or not a document is a record?

In addition to the two conditions stated above, use the following criteria as a guide for determining whether or not a document, such as an email message, meets the statutory definition of a record. If the material (whether a document, email, or other recorded information) meets any of the following criteria, it is considered a record and should be preserved using established procedures:

- It contains unique, valuable information developed in preparing position papers, reports, studies, etc.

- It reflects significant actions taken in the course of conducting Department of Homeland Security business.
- It conveys unique, valuable information about Department of Homeland Security programs, policies, decisions, or essential actions.
- It conveys statements of policy or the rationale for decisions or actions.
- It documents oral exchanges (in person or by telephone), during which policy is formulated or other Department of Homeland Security activities are planned or transacted.
- It adds to the proper understanding of the formulation or execution of Department of Homeland Security actions or of Department of Homeland Security operations and responsibilities.
- It documents important meetings.
- It facilitates action by Department of Homeland Security officials and their successors in office.
- It makes possible a proper scrutiny by the Congress or other duly authorized agencies of the Government.
- It protects the financial, legal, and other rights of the Government and of persons directly affected by the Government's actions.
- It documents the persons, places, things, or matters dealt with by the Department.
- It documents essential transactions of the Department of Homeland Security such as a scientific research and development case file or an inspection report documenting a shipment of goods to the U.S. from overseas.
- It documents the administration of the Department, such as personnel, procurement, payroll, budget, and other "housekeeping" operations (See the General Records Schedules for many types of administrative records created by the Department).

If you need help to determine whether or not informational material in your possession is an official record see Chapter One, Section Four, Materials to be managed under this guidance, in the Directive or contact your records management officer at the Department of Homeland Security's Office of the Under Secretary of Management.

Are electronic records considered official Federal records?

Information contained in electronic form must be reviewed under the same standards as other material containing information. For example, email messages and attachments, word processing files, database files, spreadsheets, and all other electronic files are subject to release in litigation and under the Freedom of Information Act. You may not delete any email messages that are (1) the subject of active FOIA requests, congressional requests, or litigation, or (2) part of an administrative record (e.g., rules, permits) until you print out the message, including the essential transmission data and all attachments, and file it in your official paper record keeping system. Essential transmission data includes author, transmittal date, all message recipients, and subject.

Each individual email should be reviewed to determine if the message meets the definition of a record as described above. If so, then:

- If retention is warranted for longer than 90 days, print out the message and any attachments plus the essential transmission data. Essential transmission data is the author, transmittal date, all message recipients, and subject.
 - File the paper copy of the record with all related paper records in the office record keeping system.
 - You may then delete the email message from your email system on a timely basis
- Transitory electronic mail records may be maintained in the “live” email system. These emails with attachments will be deleted after 90 days by the automated delete feature of the email system.

See Chapter Two, Electronic Mail Records, of the DHS Management Directive for complete instructions on handling email and attachments, especially for details on the difference between transitory emails and emails that need to be printed and filed.

For complete guidance on other types of electronic records and information systems, see Chapter Six, Electronic Records Management of the DHS Management Directive.