Abstract

This document provides an overview of the Social Security Administration’s (SSA) Records and Information Management (RIM) Program. It defines terminology associated with records management, provides SSA contractor personnel with an overview of their records management roles and responsibilities, and informs contractor personnel of whom they can contact if they have questions about the management of Federal records.

Records and Information Management

Annual Contractor Compliance Training

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# Introduction

The SSA Records Management Staff (RMS) is responsible for administering the agency’s RIM program. RMS is responsible for providing training, guidance, and policy for records management from the creation of a record to its final disposition. RMS applies the standards set by the National Archives and Records Administration (NARA), whose primary function is to provide records management oversight and governance for the entire Federal government.

# Objectives

After reading this document, you will be able to identify:

* Why records management is important;
* Who is responsible for records management;
* Terminology related to records management;
* Resources to assist you with managing Federal records;
* SSA contractor personnel records management roles and responsibilities; and
* Who to contact for assistance with managing Federal records.

# Importance of Records and Information Management

[The Presidential Memorandum titled “Transition to Electronic Records](https://www.whitehouse.gov/wp-content/uploads/2019/06/M-19-21.pdf)” requires agencies to modernize and improve recordkeeping practices, as records provide valuable information for current and future government decisions.

Well-managed records provide the agency with the information needed to perform effectively and share knowledge within and outside of SSA. Without records, SSA would not be able to process claims, compile budget reports, conduct studies and analyses, or complete many other important workloads.

In addition to being important from a business and productivity standpoint, employing an effective records management program is required by law. The Federal Records Act of 1950 provides the structure and requirements for records management in Federal agencies.

# Who is Responsible for Managing Federal Records?

**All SSA employees and contractor personnel are responsible for managing Federal records.** Every day, SSA’s employees and contractor personnel create, receive, and use Federal records in both electronic and paper formats. Therefore, SSA employees and contractor personnel play an important role in managing agency records.

# Roles and Responsibilities for Contractors

1. Contractor shall comply with all applicable records management laws and regulations, as well as NARA records policies, including but not limited to the Federal Records Act (44 United States Code (U.S.C.) chs. 21, 29, 31, 33), NARA regulations at 36 Code of Federal Regulations (CFR) Chapter XII Subchapter B, and those policies associated with the safeguarding of records covered by the Privacy Act of 1974 (5 U.S.C. 552a). These policies include the preservation of all records, regardless of form or characteristics, mode of transmission, or state of completion.
2. In accordance with 36 CFR 1222.32, all data created for Government use and delivered to, or falling under the legal control of, the Government are Federal records subject to the provisions of 44 U.S.C. chapters 21, 29, 31, and 33, the Freedom of Information Act (FOIA) (5 U.S.C. 552), as amended, and the Privacy Act of 1974 (5 U.S.C. 552a), as amended and must be managed and scheduled for disposition only as permitted by statute or regulation.
3. In accordance with 36 CFR 1222.32, Contractor shall maintain all records created for Government use or created in the course of performing the contract and/or delivered to, or under the legal control of the Government and must be managed in accordance with Federal law. Electronic records and associated metadata must be accompanied by sufficient technical documentation to permit understanding and use of the records and data.
4. SSA and its contractors are responsible for preventing the alienation or unauthorized destruction of records, including all forms of mutilation. Records may not be removed from the legal custody of SSA or destroyed except for in accordance with the provisions of the agency records schedules and with the written concurrence of the Head of the Contracting Activity. Willful and unlawful destruction, damage or alienation of Federal records is subject to the fines and penalties imposed by 18 U.S.C. 2701. In the event of any unlawful or accidental removal, defacing, alteration, or destruction of records, Contractor must report to SSA. The agency must report promptly to NARA in accordance with 36 CFR 1230.
5. The Contractor shall immediately notify the Contracting Officer upon discovery of any inadvertent or unauthorized disclosures of information, data, documentary materials, records or equipment. The Contractor shall ensure that the appropriate personnel, administrative, technical, and physical safeguards are established to ensure the security and confidentiality of this information, data, documentary material, records and/or equipment is properly protected. The Contractor shall not remove material from Government facilities or systems, or facilities or systems operated or maintained on the Government’s behalf, without the express written permission of the Head of the Contracting Activity. When information, data, documentary material, records and/or equipment is no longer required, it shall be returned to SSA control or the Contractor must hold it until otherwise directed. Items returned to the Government shall be hand carried, mailed, emailed, or securely electronically transmitted to the Contracting Officer or address prescribed in the statement of work. Destruction of records is EXPRESSLY PROHIBITED unless in accordance with Paragraph (4).
6. The Contractor is required to obtain the Contracting Officer's approval prior to engaging in any contractual relationship (sub-contractor) in support of this contract requiring the disclosure of information, documentary material and/or records generated under, or relating to, contracts. The Contractor (and any sub-contractor) is required to abide by Government and SSA guidance for protecting sensitive, proprietary information, classified, and controlled unclassified information.
7. The Contractor shall only use Government information technology equipment for purposes specifically tied to or authorized by the contract and in accordance with SSA policy.
8. The Contractor shall not create or maintain any records containing any non-public SSA information that are not specifically tied to or authorized by the contract.
9. The Contractor shall not retain, use, sell, or disseminate copies of any deliverable that contains information covered by the Privacy Act of 1974 or that which is generally protected from public disclosure by an exemption to the Freedom of Information Act.
10. The SSA owns the rights to all data and records produced as part of this contract. All deliverables under the contract are the property of the U.S. Government for which SSA shall have unlimited rights to use, dispose of, or disclose such data contained therein as it determines to be in the public interest. Any Contractor rights in the data or deliverables must be identified as required by Federal Acquisition Regulation (FAR) clauses 52.227-11 through FAR 52.227-20.
11. Training.  All Contractor employees assigned to a contract who create, work with, or otherwise handle records are required to take SSA-provided records management training. The Contractor is responsible for confirming training has been completed according to agency policies, including initial training and any annual or refresher training.

# Federal Records

According to the Federal Records Act of 1950, records are defined as:

“[A]ll recorded information, regardless of form or characteristics, made or received by a Federal agency 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 United States Government or because of the informational value of data in them.”

## Examples of Federal Records

Examples of Federal records include, but are not limited to:

* Title II and Title XVI claims folders;
* Budget reports;
* Contract and procurement files;
* Email messages

## Email and Other Electronic Messages

In accordance with NARA and Office of Management and Budget directives, the agency implemented the “Capstone Approach” to managing agency emails electronically. In accordance with General Records Schedule (GRS) 6.1 titled “Email Managed Under a Capstone Approach,” all emails sent or received by contractor personnel using an ssa.gov email account are automatically captured and retained by the agency for seven years.

Please note that it is SSA policy that employees and contractor personnel should not use personal devices or systems, including email and electronic messaging systems, to conduct agency business. If you must use a personal device or account to conduct agency business, you must follow the requirements in the Presidential and Federal Records Act Amendments of 2014, [House of Representatives (H.R.) 1233](https://www.congress.gov/bill/113th-congress/house-bill/1233).

Section 2911 of H.R. 1233 states:

*‘‘§ 2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts*

*(a) IN GENERAL.—An officer or employee of an executive agency may not create or send a record using a non-official electronic messaging account unless such officer or employee—*

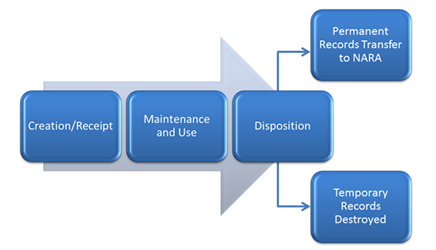
*(1) copies an official electronic messaging account of the officer or employee in the original creation or transmission of the record; or*

*(2) forwards a complete copy of the record to an official electronic messaging account of the officer or employee not later than 20 days after the original creation or transmission of the record.*

*(b) ADVERSE ACTIONS.—The intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.”*

# Lifecycle of a Record

The records lifecycle is a three-phase model.



## Phase one: Creation/Receipt

The first phase of the records lifecycle occurs when you create or receive a record. Some common, everyday examples include creating reports or receiving completed forms from SSA components or members of the public. Creation or receipt of a record establishes the demand for records management.

## Phase two: Maintenance and Use

The second phase of the records lifecycle occurs when you maintain and use a Federal record. For instructions on how to maintain and use your Federal records, consult with your contracting officer’s representative (COR).

## Phase three: Disposition

The third and final phase in the records lifecycle is the disposition phase. During this phase, we destroy temporary records or transfer them to an appropriate storage facility for continued retention, and transfer permanent records to NARA for permanent preservation.

The disposition of a record is determined by using Records Schedules.

# Records Schedules

Records schedules are the foundation of any records management program. They are policies that provide instructions for how long to keep Federal records, and what to do with them after their retention period expires.

If a record is temporary, it is destroyed or deleted according to the retention listed in the appropriate records schedule. If a record is permanent, it is transferred to NARA for permanent preservation due to the record’s informational value.

SSA uses two types of records schedules:

1) NARA’s General Records Schedules; and

2) SSA agency-specific records schedules.

## General Records Schedules (GRS)

NARA publishes the GRS, which provides information on how long to keep records and the disposition of the records. Disposition refers to the destruction or transfer of a record after its retention is met. The GRS applies to records that are common to most Federal agencies, such as contract procurement records, travel-related documents, and records relating to general administrative matters.

Access the GRS by selecting this link: <https://www.archives.gov/records-mgmt/grs.html>

## Agency-Specific Records Schedules

SSA also uses agency-specific records schedules, which provide information on records unique to SSA’s mission.

You can access the SSA agency-specific records schedules by selecting this link (NOTE: This is an internal SSA website. If you do not have access to SSA’s network, you will not be able to access this website and should consult your COR): <http://recordsschedules.ssahost.ba.ssa.gov//>

# Who to Contact for Assistance

If you have questions about Records Management, please contact your COR, who will work RMS to answer your question(s).

Test Your Knowledge

Please complete the following questions to determine how well you have mastered the records management concepts in this training. The answers to the questions are available at the bottom of the page.

1. Contractors are responsible for managing temporary and permanent Federal records.
2. True
3. False
4. A records schedule contains the following information:
5. Record types and how long we should keep them
6. Records that are vital to the operation of SSA
7. Records that have recently been destroyed by SSA
8. Both A and B
9. Email records are Federal records
10. True
11. False
12. What type of records schedule lists the retention period of general administrative records that are common to all Federal agencies?
13. SSA agency-specific records schedules
14. The General Records Schedule
15. Read the following statements and determine which is most accurate.
16. All records should be destroyed when they are no longer needed for business purposes
17. Some records have archival value and should be kept permanently
18. All records should be kept permanently
19. Both A and B

Answers

1. A
2. A
3. A
4. B
5. B