

**Forest Service Handbook
National Headquarters - Washington Office
Washington, DC**

**Forest Service Handbook 6209.11 – Records Management Handbook
Chapter 30 - Records Disposition**

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Digest: Following is an explanation of the changes throughout the directive by section.

30: Revises and updates the entire chapter.

Table of Contents

30.1 - Authorities.....	3
30.2 - Objectives.....	3
30.3 - Policy.....	3
30.4 - Responsibility.....	3
30.41 - Agency Records Officer	3
30.42 - Records Managers	3
30.43 - Records Liaisons	3
30.5 - Definitions	4
31 - Disposition of Official Agency Records.....	5
32 - Permanent Records.....	6
32.1 - Disposition of Permanent Records.....	6
32.2 - NARA Annual Move.....	7
32.3 - Direct Offers of Permanent Records to the National Archives	12
32.31 - Records in FRC Storage	12
32.32 - Records In Forest Service Offices, Authorized Non-FRC Off-Site Storage, And Agency Owned or Sponsored Electronic Repositories	12
32.33 - Initiating and Processing Direct Offer Transfer Requests.....	15
32.34 - Preparing Hardcopy Permanent Records For Accession Via Direct Offer.....	15
32.35 - Shipping Permanent Records to a National Archives Facility	18
32.36 - Transfer Methods, Specifications, and Standards for Permanent Electronic Records.....	19
33 - Temporary Records.....	20
33.1 - Disposition of Temporary Records	20
33.11 - Records Stored at Federal Records Centers	20
33.12 - Records NOT Stored at a Federal Records Center.....	24
33.2 - Destruction Methods for Temporary Records	27
33.3 - Donation of Temporary Records	29
34 - Temporary Extension of Retention Periods for Permanent and Temporary Records.....	30
35 - Emergency Authorization to Destroy Records that Pose a Menace.....	31

This chapter incorporates by reference all authorities, policies, and definitions set forth in FSM 6230, Records Management.

30.1 - Authorities

In addition to the authorities set forth in FSM 6230.1, the following authority is incorporated into this directive:

National Institute of Standard and Technology (NIST) Special Publication 800-88, revision 1, Guidelines for Media Sanitization (December 2014). This guide assists organizations and system owners in making practical sanitization decisions based on the categorization of confidentiality of their information. (<http://nvlpubs.nist.gov/nistpubs/SpecialPublications/NIST.SP.800-88r1.pdf>)

30.2 - Objectives

To effect timely and systematic disposition of agency records, including accession of permanent records to the National Archives and Records Administration (NARA) for destruction of temporary records.

30.3 - Policy

Promptly dispose of records not needed for current use according to mandatory records disposition schedules approved by the National Archives and Records Administration (NARA).

30.4 - Responsibility

See FSM 6230.4.

30.41 - Agency Records Officer

The responsibilities of the Agency Records Officer regarding disposition of Agency records are found in FSM 6230.41e.

30.42 - Records Managers

The responsibilities of the Agency Records Managers regarding disposition of Agency records are found in FSM 6230.41g.

30.43 - Records Liaisons

The responsibilities of the Agency Records Liaisons regarding disposition of Agency records are found in FSM 6230.41h.

30.5 - Definitions

The following definitions are in addition to those found in FSM 6230.5 and elsewhere in this handbook, which are hereby incorporated by reference.

Accession. Transfer of records to the ownership and custody of the National Archives. NARA takes legal custody of the records, and in most cases takes physical custody of the records as well. Accessioned records become the property of NARA. The terms "transfer" and "accession" are often used interchangeably by both agency and NARA staff. (See 'Transfer', FSH 6209.11, chapter 20, section 20.5).

1. Direct Offers - Agency submits a transfer form to NARA to accession permanent records currently stored in agency space. The records are accessioned directly from the agency to NARA.

2. Federal Records Center (FRC) Accessions - NARA generates the transfer form for permanent records stored at a FRC that are targeted for accession that year. The agency submits the transfer form and the records are accessioned during regularly scheduled moves from the FRC.

Annual Move. An annual NARA event. Near the end of each fiscal year, the Agency Records Officer receives notification (usually via spreadsheet) from NARA of permanent records stored in Federal Records Centers (FRCs) that are eligible for accession to the National Archives.

Clear. The application of logical techniques used to sanitize electronic data in all user-addressable storage locations for protection against simple non-invasive data recovery techniques; typically applied through the standard Read and Write commands to the storage device, such as by rewriting with a new value or using a menu option to reset the device to the factory state (where rewriting is not supported).

Destroy. Regarding hardcopy and electronic records management, the term 'destroy' refers to the rendering of target data recovery infeasible using state of the art laboratory techniques. The term also refers to rendering electronic media unusable for the storage of data.

Disposition. The point at which actions are taken regarding records no longer needed to conduct regular current business of the agency. At the point of disposition, closed temporary records may be transferred to authorized storage, destroyed, or donated (as appropriate) and permanent records are accessioned to the ownership and custody of the National Archives. See FSM 6230.5.

Federal Records Centers (FRCs) Freeze. A "FRC freeze" is created when the Agency Records Officer formally asks NARA to create a freeze to halt premature disposition of

records stored at a Federal Records Center. Upon receiving the request, NARA will issue a freeze code, which all Agency personnel shall include on transfer documents for records sent to FRC for storage that meet the parameters of the freeze.

Frozen Records. Official agency records whose scheduled disposition has been temporarily suspended because of special circumstances that alter the administrative, legal, or fiscal value of the records. Records may be “frozen” and, therefore, not eligible for destruction, in the following circumstances:

1. The Agency has requested NARA approval of a change in the retention period for the records.
2. The Agency notifies the particular records center that the records are needed beyond the date they are eligible for disposal; or
3. NARA approves an agency's written request to extend the retention period for a series or system of records in accordance with 44 U.S.C. 2909, which states: “The Archivist may empower a Federal agency to retain records for a longer period than that specified in disposal schedules, and may withdraw disposal authorizations covering records listed in disposal schedules.”

Purge. Refers to the application of physical or logical techniques that render target data recovery infeasible using state of the art laboratory techniques.

Sanitization. Sanitization is a process to render access to target data (the data subject to the sanitization technique) on the media infeasible for a given level of recovery effort. The level of effort applied when attempting to retrieve data may range widely. For example, a party may attempt simple keyboard attacks without the use of specialized tools, skills, or knowledge of the media characteristics. On the other end of the spectrum, a party may have extensive capabilities and be able to apply state of the art laboratory techniques. Clear, Purge, and Destroy are actions that can be taken to sanitize media.

31 - Disposition of Official Agency Records

Records retention schedules approved by the National Archives and Records Administration are the sole authority for the preservation and disposition of Forest Service records. These records retention schedules provide agency officials the continuous authority to retire, transfer/accession, or dispose of records according to retention instructions, and enables users to conduct business while reducing the volume of files.

As set forth in FSM 6230.5, disposition is a comprehensive term that includes:

1. Destruction (disposal) of temporary records no longer needed for the conduct of business;
2. Transfer of inactive records to a FRC (covered in chapter 20 of this handbook);

3. Accession of permanent records, determined to have sufficient historical or other value to warrant continued preservation, to NARA; and
4. Donation of temporary records to an eligible person or organization after the authorized retention period has expired and after the Archivist of the United States has approved the donation (contact the Agency Records Officer for details).

32 - Permanent Records

32.1 - Disposition of Permanent Records

All records scheduled as permanent must be accessioned to the National Archives and Records Administration of the United States in accordance with procedures specified in this Handbook when:

1. The records are eligible for accession based on the timeframe specified in the NARA-approved records retention schedule, or
2. The records have been in existence for more than 30 years.

Exceptions to this requirements must be made on a case-by-case basis and require approval from the Archivist of the United States. Those seeking an exception shall contact the Agency Records Officer, who shall follow procedures set forth in 36 CFR § 1235.14.

Offices may retain reference copies of permanent records that have been accessioned to the ownership and custody of the National Archives. Such copies must be clearly marked 'REFERENCE' and will only be retained for the minimum time necessary for Agency business. These reference copies are the property of the Federal government and will be subject to the Freedom of Information Act (FOIA) and discoverable in litigation.

Authorized records personnel shall accession records to the National Archives by submitting a transfer request using the NARA Electronic Records Archives (ERA) system (or its successor) or as otherwise directed by the National Archives of the United States. Each accession must correlate to a specific NARA-approved records retention schedule item.

Transfer requests for records that are restricted from public access must cite the statutory or FOIA exemption (5 U.S.C. 552(b) as amended), that authorizes the restriction(s). Legal custody of the records passes from the Forest Service to NARA when the appropriate NARA official approves the transfer request and acknowledges receipt of the records.

Agency personnel must follow the specifications and requirements in 36 CFR 1235, Subpart C – Transfer Specifications and Standards, when accessioning audiovisual, cartographic, architectural, and electronic records to the National Archives.

32.2 - NARA Annual Move

NARA notifies the Agency Records Officer of permanent records in FRC storage that are eligible for accession to the National Archives on January 1 of the coming year, on an annual basis. The process begins several months before the actual legal transfer of the documents to the custody and ownership of the National Archives.

1. Validating the List.

Several months before the actual move, the Records Officer receives a list of agency records in FRC storage that are potentially eligible for inclusion in the NARA Annual Move. The Agency must validate the list and respond to NARA by either confirming inclusion of transfers or identifying specific transfers that should not be included in the Annual Move. Due to the high volume and specific nature of the notifications, and in an effort to expedite the process and meet NARA deadlines, reply due letters will not be issued.

To accomplish this task the following steps are to be taken by records personnel:

a. The Agency Records Officer shall:

- (1) Review the preliminary list and separate proposed transfers into groups according to assigned Records Managers;
- (2) Establish a deadline for response and send proposed transfer list with instructions and deadlines to impacted records managers;
- (3) Upon receiving responses as set forth in item '1b' below, the Agency Records Officer shall respond to NARA with a list of validated transfers to be included in the Annual Move;
- (4) Determine whether to include in the Annual Move any transfers for which a response was not received; and
- (5) Instruct Records Managers on additional actions to be taken for records that will not be included in the Annual Move.

b. Agency Records Managers shall:

- (1) Upon receiving Annual Move validation notifications from the Records Officer, follow the procedures set forth in exhibit 01 to review and make determinations on proposed dispositions;
- (2) Notify Records Liaisons of Annual Move disposition notices impacting records associated with their staff or unit, request response, and set a response deadline (without issuing a reply due letter) that allows adequate time to compile

determinations and respond by established deadline. As necessary, contact Record Liaison Supervisors or Line Officers regarding non-responses and missed deadlines;

(3) Use form FS-6200-0039, to document disposition notice responses and concurrences, including those from unit Line and Staff Officers, or the designated Program Manager;

(4) Contact unit Line Officer, Staff Director, or Program Manager as needed to obtain response by deadline;

(5) Sign the form where indicated and retain with unit records; and

(6) Send determinations to the Agency Records Officer (in requested format) by the indicated deadline.

c. Records Liaisons:

(1) Shall respond by due date to requests from Records Managers regarding disposition notices; and

(2) Notify designated Records Manager if it is not possible to complete the procedures for all disposition notices. The Records Manager will work with the Records Liaison and Agency Records Officer to determine the best course of action.

2. Reviewing and Approving Annual Move Transfers

Annually, on October 1, NARA will load into the NARA ERA system (or its successor) transfer documentation for all validated annual move items.

a. The Agency Records Officer shall:

(1) Go into ERA and locate the transfers using instructions provided by NARA.

(2) Upon locating the transfers, assign transfers to Records Managers and establish processing deadlines.

(3) Establish deadlines for action/response and send transfer list with instructions and deadlines to impacted Records Managers.

(4) Upon receiving responses as set forth in item '2b' below, the Agency Records Officer shall process and approve or delete Annual Move transfers in ERA.

(5) Determine whether to process and/or approve any transfers for which a response was not received.

(6) Instruct Records Managers on additional actions to be taken regarding late responses or transfers that will not be included in the Annual Move.

b. Records Managers shall:

(1) Follow instructions provided by NARA and the Agency Records Officer, along with information from form FS-6200-0039, to complete transfer requests in ERA (or its successor) for assigned Annual Move transfers. Upload specified documentation as instructed;

(2) Make every effort to complete transfer activities by deadline set by Agency Records Officer; and

(3) Consult with Agency Records Officer regarding pending transfers that will not be processed by established deadlines.

Forest Service Handbook 6209.11 – Records Management Handbook

Chapter 30 - Records Disposition

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32.2 - Exhibit 01

Annual Move of Permanent Agency Records stored at FRC Facilities

Step	Action
1	<p><u>ARE RECORDS ELIGIBLE FOR DISPOSITION?</u> For each individual disposition notice: Exam the FRC transfer documentation and box list(s), then answer the following questions:</p> <ul style="list-style-type: none"> • Is there any uncertainty about the records based on the description provided on the FRC transfer documentation and box list (description, inclusive dates, and so forth)? • Are the records covered by more than one records retention schedule? • Has the retention period changed? • Are the records under litigation hold? <p>IF ALL ANSWERS ARE NO: GO TO STEP 2 - PROCESSING RECORDS ELIGIBLE FOR DISPOSITION IF ANY ANSWERS ARE YES: GO TO STEP 3 - PROCESSING RECORDS NOT ELIGIBLE FOR DISPOSITION</p>
2	<p><u>PROCESSING RECORDS ELIGIBLE FOR DISPOSITION</u> Records Managers - if you answered NO to <u>ALL</u> questions in Step 1, do the following:</p> <ul style="list-style-type: none"> • Complete form FS-6200-39 for each proposed transfer and obtain concurrence from appropriate staff/unit managers (either signature or e-mail message) for determination. • Sign the form to authorize destruction • Notify Records Officer, as directed, that destruction is approved. • Attach copy of FRC transfer documentation and box list to signed FS-6200-0039. File in “6230 – Records Management – Records Management Program. • Go into ERA: <ul style="list-style-type: none"> ○ Locate the proposed transfer. ○ Enter required information. ○ Upload required documentation. ○ Submit to Agency Records Officer via ERA. • PROCESS COMPLETE – NO FURTHER ACTION NEEDED
3	<p><u>PROCESSING RECORDS NOT ELIGIBLE FOR DISPOSITION</u> Records Managers - if you answered YES to <u>ANY</u> question in Step 1, take action as follows:</p> <ul style="list-style-type: none"> • Is there any uncertainty about the records based on the description provided on the transfer documentation and box list (description, inclusive dates, etc.)? If YES, go to item 3A. • Are the records covered by more than one records retention schedule? If YES, go to item 3B. • Has the records schedule or retention period for any of the records in the transfer changed? If YES, go to item 3C • Are the records under litigation hold? If YES, go to item 3D
3A	<p>If you are uncertain about the records, above take the following actions:</p> <ul style="list-style-type: none"> • Permanently withdraw records (via ARCIS) from FRC for review. • Complete and sign form FS- 6200-0039. • Notify Agency Records Officer of date records permanently withdrawn from FRC storage. • Attach copy of FRC transfer documentation and box list to signed FS- 6200-0039. File in “6230 – Records Management – Records Management Program.” • Go to Step 4.
3B	<p>Are the records covered by more than one retention schedule:</p> <ul style="list-style-type: none"> • Permanently withdraw records (via ARCIS) from FRC for review. • Complete and sign form FS- 6200-0039. • Notify Agency Records Officer of date records permanently withdrawn from FRC storage. • Attach copy of FRC transfer documentation and box list to signed FS- 6200-0039. File in “6230 – Records Management – Records Management Program.” • Go to Step 4.

Forest Service Handbook 6209.11 – Records Management Handbook

Chapter 30 - Records Disposition

Amendment: 6209.11-2017-5

Effective date: June 29, 2017

Step	Action
3C	<p>The records schedule or retention period has changed.</p> <ul style="list-style-type: none"> • If records are now eligible for inclusion in the Annual Move: Go to Step 2 • If the records in the transfer are covered by more than one records schedule: Go to Step 3B. • If records are not eligible for inclusion in the Annual Move due to a change in records retention schedule and are covered by a single records schedule: <ul style="list-style-type: none"> ○ Complete and sign form FS- 6200-0039. ○ Notify Agency Records Officer of schedule with item number and new disposition date. ○ Attach copy of FRC transfer documentation and box list to signed FS- 6200-0039. File in “6230 – Records Management – Records Management Program.”
3D	<p>If the records are under litigation hold:</p> <ul style="list-style-type: none"> • If the records are covered by more than one records retention schedule: <ul style="list-style-type: none"> ○ Follow process to withdraw records from FRC storage. ○ Upon receipt of records, sort and flag all records under litigation hold. ○ Process remaining records using instructions in Step 4. • If the records are covered by a single records retention schedule: <ul style="list-style-type: none"> ○ Complete FS-6200-0039 and provide new disposition date (estimate when hold will be lifted) for each transfer number. ○ Notify Records Officer of new disposition date (Records Officer will notify FRC). ○ Retain copy of FS-6200-0039 and applicable FRC transfer documentation in “6230 – Records Management – Records Management Program.”
4	<p><u>PROCESSING RECORDS PERMANENTLY WITHDRAWN FROM FRC</u></p> <p>The following actions should be taken by the assigned Agency records personnel for each records transfer permanently withdrawn from FRC storage.</p> <ul style="list-style-type: none"> • Sort records according to retention authority. • Identify records under litigation hold. • Complete Steps 4A and 4B (as applicable).
4A	<p><u>PROCESSING ELIGIBLE RECORDS PERMANENTLY WITHDRAWN FROM FRC</u></p>
4A-1	<p>Permanent records at disposition date that are NOT under litigation hold:</p> <ul style="list-style-type: none"> • Ensure that an FS-6200-0039 was completed for each transfer permanently withdrawn from FRC. • Complete separate FS-6200-0040 for each transfer. • Obtain concurrence from appropriate staff/unit managers. • Sign form. • Create ERA Direct Offer for each transfer number using established procedures (Section 32.2b). • Retain ERA approved Transfer Request, box list, signed FS-6200-39, and signed FS -6200-0040 under “6230 – Records Management – Records Management Program.” • Ship records when Direct Offer is approved by NARA. • PROCESS COMPLETE.
4A-2	<p>Permanent records <u>not</u> at disposition date, including those under litigation hold that were withdrawn from FRC:</p> <ul style="list-style-type: none"> • Group and box by retention authority. Create new file folder labels as needed. • Create transfer documentation and new box list. • Litigation Holds and Records Freezes <ul style="list-style-type: none"> ○ If records are under litigation hold, indicate by placing case number on box list and estimated date hold will be lifted (12-18 months) in FRC transfer documentation. <ul style="list-style-type: none"> ▪ Obtain OGC or HR specialist/attorney approval to transfer records to FRC storage. ▪ Provide OGC or HR specialist/attorney with copy of transfer documentation. ○ If the records are under an FRC issued freeze, place the FRC issued code on FRC transfer documentation under records description. These records will not be eligible for disposition until the FRC freeze is formally lifted by the Agency Records Officer. • Submit FRC transfer request and box list to FRC for approval and ship records when approved. • Attach copies of FS- 6200-0039, FRC transfer documentation (old and new) and box list. File in “6230 – Records Management – Records Management Program.” • PROCESS COMPLETE
4B	<p><u>PROCESSING TEMPORARY RECORDS WITHDRAWN FROM FRC</u></p> <ul style="list-style-type: none"> ➤ If records withdrawn from FRC are determined to be temporary, process records using instructions in Exhibit 33-01.

32.3 - Direct Offers of Permanent Records to the National Archives

As stated in section 32.1, records stored in Forest Service offices, authorized off-site storage facilities, and agency owned or sponsored electronic repositories must be accessioned to the National Archives according to deadlines set forth in NARA-approved records retention schedules. Additionally, any permanent records 30 years old or older in the custody and control of the Agency must be accessioned to the National Archives. See section 32.1 for information regarding exceptions to this requirement.

32.31 - Records in FRC Storage

Most of the eligible records in FRC storage will be included in the NARA Annual Move, but there will be circumstances when Agency records personnel shall initiate a direct offer of records. The process for initiating a direct offer of permanent records in FRC storage (outside of the NARA Annual Move) is the same as the procedure used to initiated a direct offer of record stored in Agency facilities and offices.

32.32 - Records In Forest Service Offices, Authorized Non-FRC Off-Site Storage, And Agency Owned or Sponsored Electronic Repositories

1. Unit records personnel shall identify permanent records eligible for immediate accession to the ownership and custody of the National Archives outside of the Annual Move described in section 32.2a on an annual basis.
2. Use current unit file plans and inventories to assist in identifying eligible records.
3. Analyze eligible records using the process set forth in exhibit 01.

Forest Service Handbook 6209.11 – Records Management Handbook
Chapter 30 - Records Disposition
Amendment: 6209.11-2017-5
Effective date: June 29, 2017

32.32 - Exhibit 01

Direct Offer of Permanent Records NOT Stored at FRC to the National Archives

Step	Action
1	<p><u>ARE RECORDS ELIGIBLE FOR TRANSFER?</u></p> <p>1) Validate the records retention schedule assigned to the records. 2) Validate the disposition date. 3) Note whether the records are under litigation hold (such records are not be eligible for transfer)</p> <hr/> <p><u>FOR RECORDS ELIGIBLE FOR TRANSFER: GO TO STEP 2 - PROCESSING RECORDS ELIGIBLE FOR TRANSFER</u></p> <p><u>TO REQUEST EXTENSION OF DISPOSITION DATE FOR ELIGIBLE RECORDS: GO TO STEP 3 – REQUESTING EXTENSION OF DISPOSITION DATE</u></p> <p><u>RECORDS UNDER LITIGATION HOLD: GO TO STEP 4</u></p>
2	<p><u>PROCESSING RECORDS ELIGIBLE FOR TRANSFER</u></p> <ul style="list-style-type: none"> • Records Managers or Liaison: <ul style="list-style-type: none"> ○ Complete form FS-6200-0040 for each file code category. Include only one file code category per transfer. ○ Create box list (inventory) of folders, include file code category and any additional information that will help identify the records (case number, contract number, project name, and so forth). ○ Obtain concurrence from appropriate staff/unit managers (either signature or e-mail message). ○ Records Manager or Liaison: Sign the form to authorize transfer • Records Liaisons: <ul style="list-style-type: none"> ○ Complete form SF-258 and submit to Records Manager with form FS-6200-0040 and box list. • Records Managers: <ul style="list-style-type: none"> ○ Enter transfer request in ERA (contact Records Officer for records covered by GRS) ○ Upload box list ○ Submit for Records Officer’s approval • Retain copy of transfer request, signed FS-6200-0040, box list, and associated documentation under “6230 – Records Management – Records Management Program.” • Once transfer is approved, prepare and submit records using appropriate methodology set forth in FSH 6209.11, Chapter 30.
3	<p><u>REQUESTING EXTENSION OF DISPOSITION DATE</u></p> <ul style="list-style-type: none"> • Create inventory (list) of folders, include file code category and any additional information that will help identify the records (case number, contract number, project name, and so forth). • Complete form FS-6200-40 and obtain concurrence from appropriate staff/unit managers (either signature or e-mail message). • Records Manager or Liaison: Sign the form to authorize. • Follow procedures set forth in FSH 6209.11, Chapter 30, Section 34, item 3 to request authorization for extension. • Submit extension request to the FS National Records Officer, who will submit the request to the National Archives. • Once determination regarding extension is made, records personnel shall: <ul style="list-style-type: none"> ○ <u>Extension approved:</u> Update files with new retention date. File approval, signed FS-6200-40, inventory, and any other relevant documentation in “6230 – Records Management – Records Management Program.” ○ <u>Extension denied:</u> Proceed with transfer per step 2 above.

Forest Service Handbook 6209.11 – Records Management Handbook

Chapter 30 - Records Disposition

Amendment: 6209.11-2017-5

Effective date: June 29, 2017

Step	Action
4	<p><u>RECORDS ELIGIBLE FOR TRANSFER TO NATIONAL ARCHIVES THAT ARE UNDER LITIGATION HOLD</u></p> <ul style="list-style-type: none">• Complete form FS-6200-0040 and have it signed by appropriate entities. File signed form and other relevant documentation in “6230 – Records Management – Records Management Program.”• Do not transfer the records until the hold is lifted:<ul style="list-style-type: none">○ Electronic records: Flag with litigation hold case number, retain until hold lifted, then transfer to National Archives.○ Hardcopy records:<ul style="list-style-type: none">▪ Retain on site, flag with litigation hold case number, OR▪ Transfer to FRC after obtaining approval from entity that issued hold notification, note hold number on transfer documentation. When appropriate ask Records Officer to obtain freeze code from FRC and use freeze code on all transfer requests.▪ When litigation hold is formally lifted:<ul style="list-style-type: none">• Records at FRC Storage:<ul style="list-style-type: none">○ If freeze code was issued, notify Records Officer who will lift the FRC freeze.○ Initiate direct offer of records to the National Archives.• Records at Forest Service offices or other authorized storage facility: Immediately Transfer records to National Archives via direct offer.

32.33 - Initiating and Processing Direct Offer Transfer Requests

1. Records Liaisons initiating transfer requests shall:
 - a. Complete and submit SF-258 and FS-6200-40 (Disposition Authorization for Records Stored in Forest Service Facilities, Authorized Non-FRC Off-Site Storage, and in Agency Owned or Sponsored Electronic Repositories) to assigned Records Manager;
 - b. Include a box list (manifest) of all records included in the transfer; and
 - c. Provide any additional information regarding the records that is requested by the Records Manager.
2. Records Managers shall:
 - a. Use the NARA ERA system (or its successor) to submit all permanent records transfer requests to the Agency Records Officer for approval. Contact the Agency Records Officer regarding transfer procedures for records covered by a NARA issued General Records Schedule (GRS);
 - b. Process transfer requests submitted by Records Liaisons in a timely manner;
 - c. Complete and retain signed FS-6200-40 for transfers initiated by the Records Manager. Records Managers are not required to complete SF-258 for such transfers, as the ERA system will be used to capture the required information; and
 - d. Ensure that a box list (manifest) is created and uploaded into ERA for each transfer request.

32.34 - Preparing Hardcopy Permanent Records For Accession Via Direct Offer

The following instructions should be used to prepare hardcopy records for accession to the National Archives.

1. Unlike the requirements for containers used to transfer records to FRC storage, there are no required storage containers for transferring records to the National Archives. Standard FRC boxes may be used, but are not required.
 - (a) There is no minimum size requirement. A single document or file can be accessioned to the National Archives.
 - (b) Use a container that is adequate in size and construction to house and protect the records during transport.

2. Ensure file folders, magnetic tape containers, and microfiche containers are properly organized and labeled. At a minimum, the label identifies the most important information about the records in the file folder – the file code, heading, subheading, and date/year of creation. This information is necessary to ensure that the records are properly retained and processed.
3. Place all letter and legal size hardcopy records in labeled file folders. Remove all non-record material.
4. Remove hardcopy documents from 3-ring binders and place into labeled file folders. Remove all metal clasps, binder clips, paper clips, and rubber bands from file folders.
5. Label file folders (chapter 20, section 21.2, item 2 of this handbook): Additional labels can be added to the file folder (using a single tab folder makes this easier). These additional labels can provide information on the project or case name, date the file was closed, the retention period, the disposition date. Including as much information as possible on the file label will save time in the future.
6. Identify and separate records by records schedule item, also known as the file code category. Include only one file code category per transfer request.
7. Organize folders in the same file code category by case number, alphabetically, chronologically, and so forth.
8. Note the inclusive or cutoff dates of the records in a single file code category. One transfer may contain multiple years of records in the file code category (records schedule item).
9. Determine the disposition date.
 - (a) Disposition date should be based on the closure date of the youngest records in the transfer.
 - (b) To manually calculate a disposition date, you determine the date the record was closed, and add the retention period plus one day.
 - (c) The retention periods can be found in FSH 6209.11, chapter 40 and are listed by file code category.
10. Box the records.
 - a. It is recommended that the records be boxed prior to indexing, as the index must exactly match the contents of the box.
 - b. All documents must be in labeled file folders.

- c. Pack only one file code category (also known as a records disposition schedule item) per box. (Reminder: One file code category per transfer request.)
- d. If using FRC or standard white storage boxes, pack the boxes as follows:
 - (1) Letter-size folders: File folder labels face the numbered end of box; and
 - (2) Legal-size folders: File folder labels face the left of the box as you face the numbered end.
- e. Special note: If you are using side tab folders, such as those used in Lektrievers, you currently have one of two options:
 - (i) The folders are too wide to pack facing the front of the box, so you will need to follow the instructions for packing legal-size folders, file folder labels face the left of the box as you face the numbered end; or
 - (ii) Refile the documents into standard top tab file folders with new labels.
- f. Leave at least 1 inch of space in each box. Do not over-pack boxes. Do not add additional material on the bottom, side, or top of the records in the box.
- g. Leave all guides and tabs in the records
- h. If information on the folders can be seen through the box cut-out handles, place a blank piece of paper in the front of the first folder in the box and behind the last folder in the box. This is very important if the information visible is PII.
- i. Create an index (box list) for the records. The index must list records by box, in order found in box, and must include:
 - (1) File code – heading – subheading information;
 - (2) Date of records;
 - (3) Additional pertinent information from file folder labels;
 - (4) Identification of all restricted or protected records. Include citation or litigation hold case number (as applicable); and
 - (5) Include enough information so that anyone searching for a particular record can find it.

32.35 - Shipping Permanent Records to a National Archives Facility

1. Numbering Containers for Shipment.
 - a. After receiving approval via ERA for the transfer request, write the transfer number and container number on the front of each shipping container.
 - b. Use a black permanent felt-tip marker and make the numbers legible and large enough to be easily read.
 - c. If possible, enter required information in the upper left corner of the container and the container number in the upper right corner. Leave room for postage and return addresses. Do not write on sealing tape or place tape over transfer numbers.
 - d. Begin with number 1 and include the total number of containers in the transfer (for example: 1/10, 2/10, 3/10, and so forth).
 - e. Do not use labels to cover old box markings or to supply additional identifying information.
2. Seal shipping containers securely.
3. Arrange for shipment of records within 90 days after notification that the transfer request has been approved. Notify the destination National Archives facility if the transfer cannot be made within this period.
4. The sending office is responsible for covering the costs of shipping their records to the designated National Archives facility.
5. Records may be sent via U.S. Postal Service, commercial carrier, common carrier (on pallets), or by agency courier.
6. Small volume transfers:
 - a. Several small volume transfers (hardcopy and electronic) may be sent in a single container with prior approval from the receiving National Archives facility; and
 - b. Each transfer must be segregated and well designated within transfer medium (hard drive, standard FRC box, and so forth).
7. Large volume transfers of hardcopy records.
 - a. If mailing 20 or more standard FRC boxes, the shipment may be sent in a postal container or by bulk mail.

- b. If shipping boxes on pallets via commercial carrier or for large shipments, contact the destination National Archives for instructions, including scheduling a delivery date and instructions for commercial carriers.

32.36 - Transfer Methods, Specifications, and Standards for Permanent Electronic Records

1. Agencies may transfer electronic records on magnetic tape, compact disk-read only memory (CD-ROM), digital versatile disc-read only memory (DVD-ROM), external hard drive, and via file transfer protocol (FTP), in accordance with 36 CFR 1235.46.
2. The Records Officer, Records Manager, and Information Technology Specialist shall work with a NARA Electronic Records Archivist to discuss options and determine the best transfer method. Contact the Agency Records Officer for the name of the NARA Electronic Records Archivist contact for the Forest Service.
3. NARA provides guidance on file formats that may be used by the Agency when transferring permanent electronic records to the National Archives. This guidance supports the requirements in item A1, Section A, Part II, of OMB Memorandum M-12-18, Managing Government Records and can be found at <https://www.archives.gov/records-mgmt/policy/transfer-guidance.html>. The website provides guidance on transferring the following types of electronic records:
 - a. Computer aided design;
 - b. Digital audio;
 - c. Digital moving images;
 - (1) Digital cinema;
 - (2) Digital video;
 - d. Digital still images;
 - e. Digital photographs;
 - f. Scanned text;
 - g. Digital posters;
 - h. Geospatial formats;
 - i. Presentation formats;
 - j. Textual data;

- k. Structured data formats;
- l. Emails; and
- m. Web records.

33 - Temporary Records

33.1 - Disposition of Temporary Records

33.11 - Records Stored at Federal Records Centers

NARA Federal Records Centers will only destroy eligible Federal records stored at FRC facilities with the written concurrence of authorized agency representatives. In the Forest Service the authorized agency representatives are the Agency Records Officer and Records Managers.

Quarterly, the Agency receives notification of temporary records in FRC storage that are eligible for destruction.

1. The Agency Records Officer shall:
 - a. Disseminate notifications to impacted Records Managers with instructions including the deadline for response. Due to the recurring nature of the reporting requirement (quarterly) and in an effort to streamline the process, a reply due letter must not be issued;
 - b. Collect responses from Records Managers; and
 - c. Provide determinations to the Federal Records Centers using the authorized methodology.
2. Agency Records Managers shall, upon receiving temporary record disposition notifications from the Records Officer:
 - a. Coordinate (as needed) with Records Liaisons and follow the procedures set forth in exhibit 01 to review and make determinations on proposed dispositions using form FS-6200-0039;
 - b. Send disposition notice determinations to the Agency Records Officer (in requested format) by the indicated deadline;
 - c. Notify the Agency Records Officer by the due date if it is not possible to complete the procedures for all disposition notices. The Records Officer will work with the Records Manager to determine the best course of action; and

Forest Service Handbook 6209.11 – Records Management Handbook
Chapter 30 - Records Disposition
Amendment: 6209.11-2017-5
Effective date: June 29, 2017

- d. Maintain record copy of signed form FS-6200-39.
3. FRC Disposition Notice Analysis and Response:
- a. Records personnel shall follow the process set forth in exhibit 01 to analyze and make determinations regarding specific disposition notices; and
 - b. Disposition Notice Tracking Form, FS-6200-0039.
- (1) Use form FS-6200-0039, to document disposition notice responses and concurrences, including those from unit Line and Staff Officers, or the designated Program Manager.
- (2) Records Managers shall:
- (a) Contact unit Line Officer, Staff Director, or Program Manager as needed to obtain response by deadline;
 - (b) Notify Records Liaisons of disposition notices impacting records associated with their staff or unit, request response to disposition notices, and set a response deadline (without issuing a reply due letter) that allows adequate time to compile determinations and respond to FRC destruction notices by established deadlines;
 - (c) As necessary, contact Record Liaison Supervisors or Line Officers regarding non-responses and missed deadlines; and
 - (d) Sign the form where indicated and retain with unit records.
- (3) Records Liaisons:
- (a) Shall respond by due date to requests from Records Managers regarding disposition notices; and
 - (b) Notify designated Records Manager if it is not possible to complete the procedures for all disposition notices. The Records Manager will work with the Records Liaison to determine the best course of action.

Forest Service Handbook 6209.11 – Records Management Handbook

Chapter 30 - Records Disposition

Amendment: 6209.11-2017-5

Effective date: June 29, 2017

33.11 - Exhibit 01

Temporary Records stored at FRC Facility – Determining Eligibility for Destruction

Step	Action
1	<p><u>ARE RECORDS ELIGIBLE FOR DISPOSITION?</u> For each individual disposition notice: Exam the FRC transfer documentation and box list(s), then answer the following questions:</p> <ul style="list-style-type: none"> • Is there any uncertainty about the records based on the description provided on the FRC transfer documentation and box list (description, inclusive dates, and so forth)? • Are the records covered by more than one records retention schedule? • Has the retention period changed? • Are the records under litigation hold? <p><u>IF ALL ANSWERS ARE NO: GO TO STEP 2 - PROCESSING RECORDS ELIGIBLE FOR DISPOSITION</u> <u>IF ANY ANSWERS ARE YES: GO TO STEP 3 - PROCESSING RECORDS NOT ELIGIBLE FOR DISPOSITION</u></p>
2	<p><u>PROCESSING RECORDS ELIGIBLE FOR DISPOSITION</u> If you answered NO to <u>ALL</u> questions in Step 1, do the following:</p> <ul style="list-style-type: none"> • Complete a separate FS-6200-0039, for each transfer number. • Obtain concurrence from appropriate staff/unit managers (either signature or e-mail message). • Records Manager: <ul style="list-style-type: none"> ○ Sign the form to authorize destruction ○ Notify Records Officer, as directed, that destruction is approved • Attach copy of FRC transfer documentation and box list to signed FS-6200-0039. File in “6230 – Records Management – Records Management Program.” • PROCESS COMPLETE – NO FURTHER ACTION NEEDED
3	<p><u>PROCESSING RECORDS NOT ELIGIBLE FOR DISPOSITION</u> If you answered YES to <u>ANY</u> question in Step 1, take action as follows:</p> <ul style="list-style-type: none"> • Is there any uncertainty about the records based on the description provided on the transfer documentation and box list (description, inclusive dates, etc.)? If YES, go to item 3A. • Are the records covered by more than one records retention schedule? If YES, go to item 3B. • Has the records schedule or retention period for any of the records in the transfer changed? If YES, go to item 3C • Are the records under litigation hold? If YES, go to item 3D
3A	<p>If you are uncertain about the records, above take the following actions:</p> <ul style="list-style-type: none"> • Permanently withdraw records (via ARCIS) from FRC for review. • Complete and sign form FS- 6200-0039. • Notify Agency Records Officer of date records permanently withdrawn from FRC storage. • Attach copy of FRC transfer documentation and box list to signed FS- 6200-0039. File in “6230 – Records Management – Records Management Program.” • Go to Step 4.
3B	<p>Are the records covered by more than one retention schedule:</p> <ul style="list-style-type: none"> • Permanently withdraw records (via ARCIS) from FRC for review. • Complete and sign form FS- 6200-0039. • Notify Agency Records Officer of date records permanently withdrawn from FRC storage. • Attach copy of FRC transfer documentation and box list to signed FS- 6200-0039. File in “6230 – Records Management – Records Management Program.” • Go to Step 4.

Forest Service Handbook 6209.11 – Records Management Handbook

Chapter 30 - Records Disposition

Amendment: 6209.11-2017-5

Effective date: June 29, 2017

Step	Action
3C	<p>The records schedule or retention period has changed.</p> <ul style="list-style-type: none"> • If records are now eligible for destruction: Go to Step 2 • If the records in the transfer are covered by more than one records schedule: Go to Step 3B. • If records are not eligible for destruction due to a change in records retention schedule and are covered by a single records schedule: <ul style="list-style-type: none"> ○ Complete and sign form FS- 6200-0039. ○ Notify Agency Records Officer of schedule with item number and new disposition date. ○ Attach copy of FRC transfer documentation and box list to signed FS- 6200-0039. File in “6230 – Records Management – Records Management Program.”
3D	<p>If the records are under litigation hold:</p> <ul style="list-style-type: none"> • If the records are covered by more than one records retention schedule: <ul style="list-style-type: none"> ○ Follow process to withdraw records from FRC storage. ○ Upon receipt of records, sort and flag all records under litigation hold. ○ Process remaining records using instructions in Step 4. • If the records are covered by a single records retention schedule: <ul style="list-style-type: none"> ○ Complete FS-6200-0039 and provide new disposition date (estimate when hold will be lifted) for each transfer number. ○ Notify Records Officer of new disposition date (Records Officer will notify FRC). ○ Retain copy of FS-6200-0039 and applicable FRC transfer documentation in “6230 – Records Management – Records Management Program.”
4	<p><u>PROCESSING RECORDS PERMANENTLY WITHDRAWN FROM FRC</u></p> <p>The following actions should be taken by the assigned Agency records personnel for each records transfer permanently withdrawn from FRC storage.</p> <ul style="list-style-type: none"> ➤ Sort records according to retention authority. ➤ Identify records under litigation hold. ➤ Complete Steps 4A and 4B (as applicable).
4A	<p><u>PROCESSING TEMPORARY RECORDS WITHDRAWN FROM FRC</u></p>
4A-1	<p>Temporary records at destruction date that are NOT under litigation hold:</p> <ul style="list-style-type: none"> ➤ Complete separate FS-6200-0040, for each transfer number. ➤ Obtain concurrence from appropriate staff/unit managers. ➤ Sign form to authorize destruction. ➤ Attach box list to signed FS -6200-0040. File in “6230 – Records Management – Records Management Program.” ➤ DESTROY RECORDS USING APPROVED METHODS – PROCESS COMPLETE.
4A-2	<p>Temporary records <u>not</u> at destruction date, including those under litigation hold that were withdrawn from FRC:</p> <ul style="list-style-type: none"> ➤ Group and box by retention authority. Create new file folder labels as needed. ➤ Create transfer documentation and new box list. ➤ Litigation Holds and Records Freezes <ul style="list-style-type: none"> ○ If records are under litigation hold, indicate by placing case number on box list and estimated date hold will be lifted in FRC transfer documentation. ○ If the records are under an FRC issued freeze, place the FRC issued code on FRC transfer documentation under records description. These records will not be eligible for disposition until the FRC freeze is formally issued by the Agency Records Officer. ➤ Submit FRC transfer request and box list to FRC for approval and ship records when approved. ➤ Attach copies of FS- 6200-0039, FRC transfer documentation (old and new) and box list. File in “6230 – Records Management – Records Management Program.” ➤ PROCESS COMPLETE
4B	<p><u>PROCESSING PERMANENT RECORDS WITHDRAWN FROM FRC</u></p> <ul style="list-style-type: none"> ➤ If records withdrawn from FRC are determined to be permanent, process records using instructions in Exhibit 32.32-01.

33.12 - Records NOT Stored at a Federal Records Center

Agency records personnel shall take the following actions to analyze and authorize disposition of temporary records in Forest Service facilities, authorized non-FRC off-site storage, and in Agency owned or sponsored electronic repositories, at the end of each fiscal year:

1. Close active files according to criteria found in FSH 6209.11, chapter 40 and assign disposition dates;
2. Use the procedures set forth in exhibit 01 to identify and process closed records eligible for destruction; and
3. Use form FS-6200-0040 to document determinations regarding closed records stored in Forest Service facilities and agency owned or sponsored electronic repositories that are eligible for destruction:
 - a. Complete a separate form for each file code category analyzed;
 - b. Index the records covered by the form;
 - c. Obtain concurrence by impacted Line and/or Staff Officers via signature on the FS-6200-0040 form or email message (include with record copy of form);
 - d. Sign the form; and
 - e. Include document index with final signed form and retain in unit files under '6200 - Records Management - Records Management Program'.

Forest Service Handbook 6209.11 – Records Management Handbook
Chapter 30 - Records Disposition
Amendment: 6209.11-2017-5
Effective date: June 29, 2017

33.12 - Exhibit 01

Determining Disposition of Temporary Records NOT Stored at FRC

Step	Action
1	<p><u>ARE RECORDS ELIGIBLE FOR DISPOSITION?</u></p> <ol style="list-style-type: none"> 1) Validate the records retention schedule assigned to the records. 2) Validate the disposition date. 3) Note whether the records are under litigation hold (such records are not eligible for disposition) <hr/> <p><u>IF RECORDS ARE ELIGIBLE FOR DESTRUCTION: GO TO STEP 2 - PROCESSING RECORDS ELIGIBLE FOR DISPOSITION</u></p> <p><u>IF RECORDS ARE NOT ELIGIBLE FOR DESTRUCTION: GO TO STEP 3 - RECORDS NOT ELIGIBLE FOR DISPOSITION</u></p>
2	<p><u>PROCESSING RECORDS ELIGIBLE FOR DESTRUCTION</u></p> <ul style="list-style-type: none"> • Complete form FS-6200-0040 for each file code category and action. • Determine whether records will be destroyed or donated. <ul style="list-style-type: none"> ○ If records to be Destroyed: GO TO STEP 2A – DOCUMENTING DESTRUCTION ○ If records to be Donated: GO TO STEP 2B – DONATING TEMPORARY RECORDS ○ If Retention Period to Be Extended: GO TO STEP 2C – REQUESTING DISPOSITION DATE EXTENSION
2A	<p><u>DOCUMENTING DESTRUCTION</u></p> <ul style="list-style-type: none"> • Create inventory (list) of folders, include file code category and any additional information that will help identify the records (case number, contract number, project name, and so forth). • Obtain concurrence from appropriate staff/unit managers (either signature or e-mail message). • Records Manager or Liaison: Sign the form to authorize destruction • Ensure records are destroyed using approved procedures set forth in Chapter 30, Section 32.1 • Retain documentation, signed form and inventory, under “6230 – Records Management – Records Management Program.”
2B	<p><u>DONATING TEMPORARY RECORDS</u></p> <ul style="list-style-type: none"> • Create inventory (list) of folders, include file code category and any additional information that will help identify the records (case number, contract number, project name, and so forth). • Obtain concurrence from appropriate staff/unit managers (either signature or e-mail message). • Records Manager or Liaison: Sign the form • Submit donation request to Agency Records Officer per Chapter 30, Section 32.2 • Once determination regarding donation is made: <ul style="list-style-type: none"> ○ <u>Donation approved</u>: Transfer records to recipient. File approval, signed FS-6200-40, inventory, and any other relevant documentation in “6230 – Records Management – Records Management Program.” ○ <u>Donation denied</u>: Attach copy of FRC transfer documentation and inventory to the signed FS-6200-0040. File in “6230 – Records Management – Records Management Program.” If donation denied, either destroy records (Step 2A) or request authorization to extend disposition (Step 2C).

Forest Service Handbook 6209.11 – Records Management Handbook

Chapter 30 - Records Disposition

Amendment: 6209.11-2017-5

Effective date: June 29, 2017

Step	Action
2C	<p><u>REQUESTING EXTENSION OF DISPOSITION DATE</u></p> <ul style="list-style-type: none"> • Create inventory (list) of folders, include file code category and any additional information that will help identify the records (case number, contract number, project name, and so forth). • Obtain concurrence from appropriate staff/unit managers (either signature or e-mail message). • Records Manager or Liaison: Sign the form to authorize. • Follow procedures set forth in FSH 6209.11, Chapter 30, Section 34, item 3 to request authorization for extension. • Once determination regarding extension is made: <ul style="list-style-type: none"> ○ <u>Extension approved:</u> Update files with new retention date. File approval, signed FS-6200-40, inventory, and any other relevant documentation in “6230 – Records Management – Records Management Program.” ○ <u>Extension denied:</u> Attach copy of request, signed FS-6200-0040, inventory, and any other relevant documentation in “6230 – Records Management – Records Management Program.” Either destroy records (Step 2A) or request authorization to donate the records (Step 2B).
3	<p><u>RECORDS NOT ELIGIBLE FOR DISPOSITION</u></p> <p>Is there time remaining before records reach disposition date? If yes, go to item 3A</p> <p>Are the records under litigation hold? If yes, go to item 3B</p>
3A	<p><u>IF there is time remaining before records reach disposition date</u></p> <ul style="list-style-type: none"> • Electronic records: Do nothing, retain until disposition date reached • Hardcopy records: <ul style="list-style-type: none"> ○ Retain on site, OR ○ Transfer to FRC or other approved off-site storage facility.
3B	<p><u>If the records are under litigation hold</u></p> <ul style="list-style-type: none"> • Electronic records: Flag with litigation hold case number, retain until hold lifted, then apply disposition. • Hardcopy records: <ul style="list-style-type: none"> ○ Retain on site, flag with litigation hold case number, OR ○ Transfer to FRC after obtaining approval from entity that issued hold notification, note hold number on transfer documentation.

33.2 - Destruction Methods for Temporary Records

Inherent in the designation of an official record as temporary is the requirement that the record must be destroyed upon reaching a predetermined point in time, unless NARA authorizes extending the destruction date. The following destruction methods are authorized for use by agency employees:

1. Salvage of unrestricted records:

a. Paper records:

Unrestricted paper records eligible for destruction normally must be sold as wastepaper, or otherwise salvaged. All sales must follow established procedures for the sale of surplus personal property. The contract for sale must prohibit the resale of all records for use as records or documents.

b. Records on electronic or other media:

Unrestricted records other than paper records (audio, visual, and electronic records on physical media data tapes, disks, and diskettes) may be salvaged and sold in the same manner and under the same conditions as unrestricted paper records.

2. Destruction of unrestricted records that cannot be sold or otherwise salvaged:

a. Unrestricted records that the Agency cannot sell or otherwise salvage, must be destroyed by burning, pulping, shredding, macerating, or other suitable means authorized by regulations issued under Executive Order 12958, as amended or its successor.

b. The Agency will use the standards set forth in NIST Special Publication 800-88, Revision 1 (dated December 2014) to ensure records are appropriately destroyed. Such methods include, but are not limited to, the following:

(1) Any official electronic records retained within agency sanctioned repositories once deleted must not be recoverable. The data must be properly sanitized (cleared, purged, and/or destroyed).

(2) Disintegrate, pulverize, melt, and incinerate. These sanitization methods are designed to completely destroy the medium used to store the records (paper and electronic). Destruction is typically carried out at an outsourced metal destruction or licensed incineration facility with the specific capabilities to perform these activities effectively, securely, and safely.

(a) Pulverize or disintegrate paper materials using disintegrator devices equipped with a 2.4 mm (3/32 inch) security screen.

(b) When material is burned, residue must be reduced to white ash.

(c) Destroy microforms (microfilm, microfiche, or other reduced image photo negatives) by burning.

(3) Shred. Paper shredders can be used to destroy paper and flexible media such as diskettes that has been removed from outer container. The shred size of the refuse should be small enough that there is reasonable assurance in proportion to the data confidentiality that the data cannot be reconstructed.

3. Destruction of classified or other restricted records:

a. If the records are restricted because they are national security classified or exempted from disclosure by statute, including the Privacy Act, or regulation:

(1) Paper records.

(a) Destruction of agency records by FRC employees shall be destroyed per standard FRC authorized processes.

(b) Destruction of agency records by Forest Service employees or wastepaper contractors must definitively obliterate the information contained in the records using methods set forth in paragraph 2 above.

(i) Destruction must be witnessed by a Federal employee.

(ii) When shredding is used as the method of destruction, it must be done using cross cut shredders that produce particles that are 1 mm x 5 mm (0.04 inches x 0.2 inches) in size (or smaller).

(2) Electronic records.

(a) Electronic records scheduled for destruction must be disposed of in a manner that ensures protection of any sensitive, proprietary, or national security information.

(b) Magnetic recording media use destruction methods set forth in NIST Special Publication 800-88, Revision 1 (dated December 2014) to ensure records are appropriately destroyed. Magnetic recording media previously used for electronic records containing sensitive, proprietary, or national security information must not be reused if the previously recorded information can be compromised in any way by reuse of the media.

(c) Official records eligible for disposition retained within the Agency, within an agency contracted cloud, or at a NARA-approved commercial records storage facility must be retained and disposed of according to Forest Service Secure CAP requirements. Secure CAP requirements can be found at

<http://fsweb.wo.fs.fed.us/cio/cyber-security/security-internal-controls/secureCAP/index.php>.

33.3 - Donation of Temporary Records

Under certain circumstances temporary records may be donated to an appropriate person, organization, institution, corporation, or government (including a foreign government) that has requested them.

1. Agency officials shall obtain written approval from NARA before donating records eligible for disposal. Records that are not eligible for disposal cannot be donated.
2. Employees wishing to donate records shall work with their assigned Records Manager and the Agency Records Officer to request approval for donation of temporary records. The Agency Records Officer shall then send a letter to the National Archives and Records Administration, Modern Records Programs (NWM), 8601 Adelphi Road, College Park, MD 2740-6001, phone number (301) 837-1738. The request must include:
 - a. The Agency name and relevant subdivision(s) having current custody of the records;
 - b. The name and address of the proposed recipient of the records; and
 - c. A list containing:
 - (1) A description of the records to be donated;
 - (2) That includes dates of the records;
 - (3) The NARA-approved records retention schedule (including item numbers) that authorize destruction of the records;
 - d. A statement providing evidence that:
 - (1) The proposed donation is in the best interests of the Government;
 - (2) The proposed recipient agrees not to sell the records as records or documents; and
 - (3) The donation will be made without cost to the United States Government.
 - e. A certification that:
 - (1) The records contain no information for which disclosure is prohibited by law or contrary to public interest, and/or

- (2) The records proposed for transfer to a person or commercial business are directly pertinent to the custody or operations of properties acquired from the Government and/or
 - (3) A foreign government desiring the records has an official interest in them.
3. NARA will determine whether the donation is in the public interest and notify the Forest Service of its decision in writing. If NARA determines such a proposed donation is contrary to the public interest, the Agency must destroy the records in accordance with the appropriate disposition authority.

34 - Temporary Extension of Retention Periods for Permanent and Temporary Records

1. The Agency may temporarily retain temporary and permanent records eligible for disposition beyond the NARA-approved retention period if special circumstances alter the normal administrative, legal, or fiscal value of the records.
 - a. The Agency must not retain records whose disposal after a specified period is required by statute, unless retention is ordered by a Court.
 - b. In determining whether or not to temporarily extend the retention period of records, Agency records personnel must ensure that the extension of retention is consistent with the requirement contained in 5 U.S.C. 552a (Privacy Act of 1974, as amended) that records concerning individuals are maintained only if relevant and necessary to accomplish a purpose of the Agency that is required by law or Executive Order.
 - c. If the records that are to be temporarily retained beyond their approved destruction date have been transferred to records storage facilities, Agency Records Managers shall notify the facility and the Agency Records Officer.
 - d. Once the special circumstances that require extended retention of records have elapsed, temporary records must be destroyed in accordance with the NARA-approved disposition instructions.
 - e. The Agency Records Officer must submit a revised records retention schedule to NARA for approval to change schedule provisions on a continuing basis in accordance with 36 CFR § 1225.26. Records eligible for destruction may be retained until the new schedule is approved.
2. Agencies must secure NARA written approval to retain records series or systems that are eligible for destruction under NARA-approved schedules except when:
 - a. The Agency has requested a change in the records schedule in accordance with 36 CFR § 1225.26. Records eligible for destruction may be retained until the new schedule is approved;

- b. The records will be needed for less than one year; or
 - c. A court order or litigation hold notice requires retention of the records.
3. To request an extension, the Agency Records Officer (or designated alternate) must send a letter to the National Archives and Records Administration, Modern Records Programs (NWM), 8601 Adelphi Road, College Park, MD 20740–6001, phone number (301) 837-1738. Along with a justification, the request must include:
- a. A concise description of the records series for which the extension is requested;
 - b. A citation to the Agency records schedule or the GRS currently governing disposition of the records;
 - c. A statement of the estimated period of time that the records will be required; and
 - d. For records in the Agency’s custody, a statement of the current and proposed physical location of the records.

35 - Emergency Authorization to Destroy Records that Pose a Menace

When NARA and the Agency jointly determine that records in the Agency’s custody are a continuing menace to human health or life, or to property, NARA will authorize the Agency to eliminate the menace immediately by any method necessary. In such circumstances, the Records Officer or other designee shall immediately notify the National Archives and Records Administration, Modern Records Programs (NWM), 8601 Adelphi Road, College Park, MD 20740–6001, phone number (301) 837-1738. The notice must specify the description of the records, their location and quantity, and the nature of the menace. Notice may be given via e-mail to *RM.Communications@nara.gov*, or via phone, (301) 837–1738, or fax, (301) 837-3698, to NWM or the NARA Regional Administrator.

- 1. If NARA concurs, the Agency will receive authorization and instructions to immediately destroy the records.
- 2. If NARA does not concur, the Agency will be advised on remedial action to address the menace.