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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Bi-Monthly Records and Information Discussion Group

To Ask Questions

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June 14, 2022



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Welcome
Laurence Brewer
Chief Records Officer for the U.S. Government

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BRIDG Agenda

- Welcome
- Opening Remarks
- Federal Records Centers Updates
- Research Services Updates



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FRCP Updates Freeze Overview

Russell Loiselle
National Transfer and Disposition Coordinator
Federal Records Centers Program



What is a freeze?

- A "freeze" is created when an Agency Records Officer receives a hold notice or moratorium on destruction for records not in their physical custody but in the custody of an FRC and asks NARA to create a freeze to halt premature disposition of the records.

How do freezes work?

- Freezes suspend the current disposition cycle until it is lifted – once a freeze is lifted, the records resume their normal disposition cycle already in progress.
- This means that some records may become immediately eligible for disposition when a freeze is lifted since their disposition date may have already passed.

Freezes vs Holds

- The number of freezes in FRCP is significantly smaller than the number of active holds or moratoriums on destruction within agencies.
- This is because most litigation deals with relatively current agency activity and agencies normally keep most of their active records on site.



Quick Freeze Facts

- Active freezes – 246 across 449 agency RGs
- Oldest active freeze – CLM (1962)
- Newest freeze – Navy NCS (2022)
- Largest freeze ever – TIL (11,940,845 cu ft)
- Lifecycle Related Freezes – 21
- Lifted freezes (inactive) – 133

Freeze Creation

- Agencies should send their freeze creation request letters/emails to the FRCP Director (cc Me).
- Requests must include a brief description and justification for the freeze as well as the scope of the freeze: affected records groups, disposition authorities, or specific transfers.
- Freezes are tracked in ARCIS using unique 3-letter codes (examples: COB, KAT, TIL).

Freeze Impacts

- Monetary Cost
 - TIL, for example, cost the government over \$12 Million in storage costs alone...
- Risk
 - Freezes increase the potential litigation discovery costs and the volume of potentially responsive records found.

Freeze Lifting

- Once the agency is notified by the court that the litigation has been settled, the agency should request the freeze be lifted.
- Agencies should send their freeze lift request letters/emails to FRCP Director, requesting that a freeze be partially or fully lifted.
- The letter/email should identify the records by transfer number or disposal authority, state that the records are not related to the subject litigation or that the litigation has been settled, and request that NARA lift the freeze for those records.



Multi Agency/RG Freezes

- Some freezes may affect more than 1 agency or RG, like ABS, COB, IND, ITA, KAT, NAM, TIL, etc.
- Sometimes litigation gets settled, but not all affected agencies/RGs lift the freeze because they do not get notified or word doesn't reach the records officer.
- TIL was a rare instance where DOJ lifted TIL government-wide by instructing NARA to lift it.
- FRC Account Reps and myself routinely communicate with affected customers and try “to get the word out” but in most cases, Agencies must request that a freeze be lifted or the records remain frozen.



Multi Agency/RG Freezes

- ABS – Navy lifted based on DOJ Torts Branch communication that sufficient time had passed
- COB – Most of DOI has lifted but not all components
- IND – Agencies must review affected transfers for Native American records before lifting
- ITA – Agencies should contact OST to get lifted
- KAT – NARA’s Counsel lifted for everyone after several years of communication with the White House and DOJ
- NAM – Agencies should contact NARA CRO to get lifted
- TIL – DOJ lifted for everyone



More Information Available

- FRC Toolkit
 - [archives.gov/frc/toolkit](https://www.archives.gov/frc/toolkit)
- Records Center Freeze Overview/FAQ
 - [archives.gov/frc/arcis/freeze-faq.pdf](https://www.archives.gov/frc/arcis/freeze-faq.pdf)
- FRC Customer Service Reps
 - [archives.gov/frc/acct-reps](https://www.archives.gov/frc/acct-reps)



Russell Loiselle

National Transfer & Disposition Coordinator
Office of Agency Services
NARA Federal Records Centers Program

(301) 837-3527
russell.loiselle@nara.gov



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Executive, Research Services
Chris Naylor
Accessioning Operations

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Branch Chief
Dawn Sherman-Fells
Accessioning, Basic Processing, and Holdings
Security & Space Management



Research Services Analog Accessioning Backlog

- Total Analog Backlog: Approximately 41,000 cubic feet of records
 - Across Field Custodial Units: Approximately 12,400 cubic feet of records
 - National Capital Region:
 - Special Media Records– Approximately 8,500 cubic feet of records
 - Textual Records – Approximately 20,000 cubic feet of records



Research Services Analog Accessioning Backlog

- Across 11 Field Custodial Units: Approximately 12,400 cubic feet of records
 - Anticipates backlog eliminated by end of FY 22.

- National Capital Region:
 - Special Media Records- Approximately 8,500 cubic feet of records
 - Focused on reducing direct offer backlog and processing new direct offer transfers submitted by agencies ahead of M-19-21 deadline.

 - Textual Records - Approximately 20,000 cubic feet of records
 - Focusing on reducing direct offer backlog and processing new direct offer transfers submitted by agencies ahead of M-19-21 deadline.
 - Will conduct a summer move from the WNRC of approximately 5400 cubic feet of backlog FRC transfers.



Physical Shipments of Direct Offers

- Do not send records without an approved Transfer Request
- For backlog direct offers:
 - We are actively reaching out to Federal agency RM staff to coordinate deliveries of records for approved Transfer Requests. Please let us know if you are unable to accommodate a delivery so that we can plan accordingly.
 - If you have approved Transfer Requests and are eager to send the records, please reach out to your textual/special media accessioning POC or email the appropriate office via the email links found on our Finding Aid Requirements webpage: <https://www.archives.gov/records-mgmt/accessioning/finding-aid.html>
 - We need at least one week lead time to coordinate a delivery date as we must reserve the shared loading dock, schedule the Motor Pool if we are picking up the records, and work around already confirmed deliveries.
- For newly approved direct offers:
 - Your accessioning POC will reach out to coordinate the delivery.



Preparing Permanent Records for Accessioning

- A finding aid is required for each individual records series submitted to NARA for accessioning – for direct offers and annual move FRC transfers. Please review our Finding Aid Requirements webpage for more details:
<https://www.archives.gov/records-mgmt/accessioning/finding-aid.html>.
- For Classified or Declassified records, a na-14130, Classified Records Transfer Checklist, and Kyl-Lott statement (can be included on the 14130) are required for each individual records series submitted to NARA for accessioning.



Erroneous Shipments of Records

- In recent months, custodial units in the National Capital Region have received numerous erroneous deliveries of records that should have been sent to a Federal Records Center.
 - Please work with your internal records management network to ensure policies and procedures for retiring records is widely promulgated and being followed.



Preparing for the M-19-21 Deadline

- **Review AC 33.2022 - Memorandum to Federal Records Management Contacts:** Physical transfers to NARA after CY 2022, issued April 28, 2022.
- Don't wait until the last minute (November/December) to submit Transfer Requests for eligible permanent records. Reach out to custodial units now to create a transfer plan for your eligible records.



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Director, Electronic Records Division
Ted Hull
Electronic Records Accessioning Update

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Accessioning Born Digital Electronic Records

- Increased Direct Offer transfer activity since 2019
- Shift to Secure File Transfer Protocol (SFTP) transfers
 - Agencies have positive feedback from experiences using SFTP
- NARA GitHub - Electronic Records Accessioning Support Tools (<https://github.com/usnationalarchives/Electronic-Records-Accessioning-Support-Tools>)
 - File Lister tool - prepares metadata responsive to NARA Bulletin 2015-04
- Reminder - per [36 C.F.R. 1235.44\(a\)](#), agencies remain responsible for maintaining a copy of all transferred permanent electronic records until formally notified that NARA has taken legal custody.



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NEXT MEETING

Wednesday

August 17, 2022

1:30 pm EST/10:30 am PST

rm.communications@nara.gov

Bi-Monthly Records and Information Discussion Group

archives.gov/records-mgmt/meetings/index.html



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