

# BPA Policy 236-16

## Essential Records Program

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## 1. Purpose & Background

- A. This policy sets out requirements for identifying and managing essential records and establishes BPA's Essential Records Program.
- B. BPA supports the identification and preservation of essential records that provide for the continuation of operations in the event of an emergency or disaster. The Federal Continuity Directive (FCD) 1, 2012, requires an essential records program at each Federal organization that must:
  - 1. Provide the information needed to conduct business under other-than-normal operating conditions, and;
  - 2. Identify and protect the most important records concerning the legal and financial rights of BPA and individuals directly affected by BPA's actions.

## 2. Policy Owner

The Executive Vice President of Compliance, Audit, & Risk Management and Chief Risk Officer has overall responsibility for this policy. The Agency Records Officer within Information Governance develops, implements, and manages this policy on behalf of the Executive Vice President of Compliance, Audit, & Risk Management and Chief Risk Officer.

## 3. Applicability

This policy applies to the creation, maintenance, and disposal of essential records.

## 4. Terms & Definitions

- A. As used in this policy, the following terms and definitions apply:
  - 1. **Agency File Plan:** The systematic method of identifying specific types of maintained records, series descriptions, and disposition authorities. It includes their descriptions retention instructions, and disposition authorities. The Agency File Plan maps to the Large Aggregate Flexible Schedule approved by National Archives and Records Administration (NARA) for BPA and the General Records Schedule (GRS) from NARA.
  - 2. **Continuity of Operations:** An effort to ensure BPA can continue to perform its Mission Essential Function (MEF) during a disruption of normal operations.
  - 3. **Continuity of Operations Plan (COOP):** A predetermined set of instructions or procedures that describe how an organization's MEF will be sustained within 12 hours, and up to 30 days, as a result of a disaster event before returning to normal operations.
  - 4. **Continuity Event:** Any event that makes it impossible for employees to work in their regular facility and results in the activation of the Business Continuity Plan.

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5. **Business Continuity Plan (BCP):** A workgroup specific plan within BPA’s overall agency-wide Continuity of Operations Plan (COOP) that details how an individual organization ensures it can continue to perform its essential processes during a wide range of events that impact normal operations.
  6. **Emergency Operating Records:** Those types of essential records pertaining to the continued functioning or reconstitution of an organization during and after an emergency. They include emergency plans and directives, orders of succession, delegations of authority, staffing assignments, and selected program records needed to continue the most critical agency operations, as well as related policy or procedural records that assist staff in conducting operations under emergency conditions and for resuming normal operations after an emergency.
  7. **Essential Records:** Information systems and applications, electronic and hardcopy documents, references, and other records needed to meet operational responsibilities under nation security emergencies or other emergency conditions (emergency operating records) or to protect the legal and financial rights of the Government and those affected by Government activities (legal and financial rights records). See, 36 CFR § 1223.2
  8. **Information Asset Plan (IAP):** An inventory of an organization’s information assets to include records and non-records. The Information Asset Plan contains information about the assets managed by the organization, the disposition, the retention period of the assets, the date range of the assets, location, and other aspects of each organization’s information assets.
  9. **Legal and Financial Rights Records:** A type of essential records that are critical to protect the legal and financial rights of the government and the individuals directly affected by its activities. Examples include accounts receivable records, social security records, payroll records, retirement records, and insurance records.
- B. As used in this policy, the following acronyms apply:
1. **AERL:** Alternate Essential Records Liaison
  2. **ARO:** Agency Records Officer
  3. **BCP:** Business Continuity Plan
  4. **COOP:** Continuity of Operations
  5. **FCD:** Federal Continuity Directive
  6. **FEMA:** Federal Emergency Management Agency
  7. **IGLM:** Information Governance and Lifecycle Management
  8. **NARA:** National Archives and Records Administration
  9. **PERL:** Primary Essential Records Liaison

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## 5. Policy

- A. BPA has an Essential Records Program to ensure Continuity of Operations (COOP) during and after an emergency as prescribed by laws, regulations, and directives, that ensures BPA makes and preserves records of BPA’s organizations, missions, functions, policies, decisions, procedures, and essential transactions. The program is designed to furnish the information necessary to protect the emergency operating records and the financial rights records of BPA and persons directly affected by its activities.
- B. In support of this Essential Records Program all organizations must:
  1. Identify records, regardless of format, that specify how BPA will operate in an emergency or disaster and necessary to continue operation.
    - a) Organizations must identify essential records as either emergency operating records and legal and financial rights records in their Information Asset Plan (IAP).
    - b) Organizations must document the essential record profile and decisions made for selection, maintenance, retrieval, and protection of essential records in their Business Continuity Plan (BCP) as described in Section 8, Standards & Procedures.
  2. Ensure essential records are accessible per the COOP guidance in the Federal Continuity Directive (FCD), Federal Executive Branch National Continuity Program and Requirements.
  3. Ensure locations in which essential records are stored such as alternate emergency operating centers, command centers, and relocation sites provide adequate protection and accessibility.
  4. Essential records must be reviewed, inventoried, and identified annually, irrespective of format and media. Essential records and backup copies must be updated as needed to ensure the most current versions are available.
  5. Ensure essential records inventories are added as attachments or appended to the Business Continuity Plan (BCP). Provide essential records information to appropriate emergency management officials and/or pre-position records where appropriate.
  6. Retain essential records for the period of time specified in the applicable NARA approved records schedules.
  7. Where duplication and dispersal are the method of protection, copies of essential records would become the record if the primary location becomes unavailable.

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## 6. Policy Exceptions

Exceptions to this policy may be necessary based on legitimate business needs, legal requirements, or compliance requirements. Any exceptions must be documented, reviewed, and approved by the Essential Records Advisory Workgroup.

## 7. Responsibilities

### A. Primary Essential Records Liaison (PERL):

1. Serves as the lead for coordinating and supporting the essential records program.
2. Coordinates with appropriate BPA personnel to ensure essential records are retrievable and emergency management personnel are trained. The PERL ensures:
  - a) Emergency operating records and legal and financial rights records are identified in accordance with established policies and procedures and other essential records are addressed.
  - b) Essential records inventories are maintained.
  - c) Essential records are protected and retrievable.
3. Ensures essential records are adequately documented in the BCPs.
4. Supports continuity activities, efforts and initiatives impacting essential records management, such as assessing alternative operating facilities and media, equipment, and instructions for accessing essential records.
5. Assists with or leads annual essential records risk assessments for organizations.
6. Ensures compliance of organization's essential records program.
7. Inspects and reviews Essential Records as necessary to validate appropriate management.
8. This role is in the Information Governance organization.
9. Recommends AERL if required.

### B. Alternate Essential Records Liaison (AERL):

1. Provides essential records support to the PERL.
2. This role is in the Continuity of Operations organization.

### C. Agency Records Officer:

1. Manages the IGLM program and develops, issues, and enforces policies for managing BPA's information assets through their lifecycle to ensure compliance, reduce risk, and improve operational effectiveness and efficiency.

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2. The ARO, through the IAP program, reviews and approves the identification of essential records.
3. Manages the Essential Records program and develops, issues, and enforces policies for managing BPA’s essential records.

**D. Information Governance & Lifecycle Management**

1. The IGLM team within Information Governance coordinates the overall IGLM program.
2. Provides guidance and assistance to all BPA organizations on lifecycle management and works with organizations to create and update their IAPs, including the identification of Essential Records.

**E. Information Technology Organizations (Information Technology and Transmission Technology):** Maintains backups to ensure that all electronic information can be restored, including original records that are Essential Records and systems.

**F. Managers/Supervisors**

1. Manages information assets within their areas of responsibility in a consistent manner to ensure the integrity, security, and availability of information assets;
2. Comply with Essential Records protection and access requirements in coordination with the Information Governance organization, Continuity of Operations Office, and Information Technology organizations; and
3. Identifies Essential Records in the IAP and appropriately documents Essential Records in the BCP in accordance with Section 8, Standards & Procedures.

**G. Continuity of Operations Office**

1. Plans and directs continuity operations capabilities; develops standards and guidelines to support continuity operations capabilities; and
2. Works with organizations to create and update their BCPs.

**H. Essential Records Advisory Workgroup (ERAW)**

1. Chartered by the Information Governance Oversight Team (IGOT);
2. Chaired by the PERL;
3. Oversees governance of and compliance with BPA’s Essential Record Program;
4. Monitors and shapes BPA’s Essential Records policies and practices;
5. Reviews, documents, and approves exceptions to this policy.

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## 8. Standards & Procedures

A. BPA takes appropriate measures to ensure it identifies, protects, and provides access to essential records in support of continuity planning and emergency preparedness.

### B. Identification

1. BPA identifies the records, record series, and electronic information systems that qualify as Emergency Operating Records or Legal and Financial Rights Records.
2. Essential Records are identified on Information Asset Plans.
3. Only the most recent and complete sources of the information are Essential Records.
4. IGLM maintains, reviews, and approves IAPs to ensure that Essential Records are appropriately identified.

### C. Document

1. BPA develops and maintains an essential records plan in each organization's BCP and includes a copy of the plan at the alternate site. An essential records packet is an electronic or hardcopy compilation of key information, instructions, and supporting documentation needed to access essential records in an emergency.
2. BPA documents the essential records packet within the BCP. An essential records packet must include the following.
  - a) An electronic and/or hardcopy list of continuity personnel with up-to-date telephone numbers.
  - b) The inventory of essential records copied from the IAP that includes identification as emergency operating or legal and financial rights.
  - c) The precise locations of essential records.
  - d) Necessary access mechanisms (e.g. keys, access readers).
  - e) Alternate location information.
  - f) Access requirements and lists of sources of equipment necessary to access the records (e.g. hardware and software, microform/microfilm readers, internet access, dedicated telephone lines).
  - g) List of records recovery experts and vendors.

### D. Protection

1. It is BPA's policy to manage records, including essential records, electronically to the fullest extent possible. In selecting a media, ensure that the hardware, software and documentation needed to access records will be available following an emergency.

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2. Organizations must include methods of protection for the Essential Records in their BCP.
  - a) **Duplication:** Duplication may be chosen as the primary protection method for essential records. Duplication can be in the same medium as the original record or to a different medium.
  - b) **Originals:** Original essential records may be stored off-site for protection if duplicates are available for business purposes.
  - c) **Dispersal:** Essential records must be dispersed to sites a sufficient distance away to avoid them being subject to the same emergency.

**E. Access**

1. Storage locations and means of access or retrieval must be documented in the organization’s BCP.
2. Essential Records may be stored at other office locations, off-site storage locations, or storage facilities maintained by a third party. When deciding where to store Essential Records, consider how quickly the records will be needed after an emergency. When feasible, an organization should store copies of Emergency Operating Records in a properly equipped and controlled emergency operations center.
3. Because Legal and Financial Records may not be needed as quickly as Emergency Operating Records, they may be stored in a different location.

**F. Destruction**

1. The destruction schedule of Essential Records is as follows:
  - a) Duplicate copies of Essential Records are destroyed when they are superseded or obsolete.
  - b) The NARA-approved records schedule governs the disposition of essential records that are original records (see BPA’s Agency File Plan).

**9. Performance & Monitoring**

**A. Performance Standards**

1. IAP information for Essential Records is up-to-date and reviewed at a minimum of every three years.
2. Changes to Essential Records in the BCP are to be documented within 30 days of the change. At a minimum, BCPs are to be reviewed annually.

**B. Monitoring Plans**

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1. The Essential Records program provides Continuity an annual report of all essential records identified on IAPs that need to be documented on BCPs.

## 10. Authorities & References

- A. 36 CFR § 1223, Managing Essential Records
- B. 44 USC §§ 2904 and 3101, Federal Records Act
- C. Federal Continuity Directive (FCD) 1, 2017
- D. DOE O 234.1C Records Management Program
- E. BPA Policy 260-1, Continuity of Operations and Emergency Management

## 11. Review

Information Governance is the responsible organization for managing this policy’s review. This policy is reviewed on a three-year cycle. All IGLM policies are reviewed when revisions are introduced to BPA Policy 236-1, Information Governance and Lifecycle Management, or other policies governing information management.

## 12. Revision History

Version Number	Issue Date	Brief Description of Change or Review
1.0	9/7/2018	First version in BPA Policy format. Supersedes BPAM 1132, Vital Records Protection Program.
2.0	7/3/2024	Updated to include consistency with DOE O 234.1C Records Management Program published 02/2022. Includes adding PERL and AERL roles and responsibilities.

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