

# L U.S. Department of Energy

# ORDER

National Energy Technology Laboratory

243.2

**ISSUED:** 7/26/05  
**REVIEWED:** 7/26/05

**SUBJECT:** VITAL RECORDS PROTECTION PROGRAM

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1. OBJECTIVE. To protect the core of records deemed necessary to assure continuity of essential activities during and following national emergency and/or natural disaster conditions.
2. CANCELLATION. None.
3. APPLICABILITY. This Order applies to all NETL organizational elements and on-site support contractors as specified by contract.
4. REQUIREMENTS. These requirements can be found in the references listed in Section 7 of this Order. In addition to those requirements, procedures related to identifying and maintaining vital records will be issued by the Vital Records Program Officer.
5. RESPONSIBILITIES.
  - a. The Director of Institutional and Business Operations or Designee:
    - (1) Ensures that NETL maintains an active Vital Records Program and that records are identified and maintained in accordance with established policies and procedures.
    - (2) Designates an official as the Vital Records Program Officer to implement the program.
  - b. Office Directors shall:
    - (1) Provide advice on identification of vital records.
    - (2) Identify storage facilities and provide for the operation of storage areas to protect vital records.
    - (3) Ensure that appropriate personnel are trained in and knowledgeable of the purpose and operations of the Vital Records Protection Program.
  - c. Representatives from identified offices shall be responsible for identifying vital records and ensuring records are updated as needed.

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**INITIATED BY:** Office of the Director  
**NO. OF PAGES/ATTACHMENTS:** 4 pages

The most recent and official controlled hard copy version of this directive resides with NETL's Directives Coordinator. An electronic version of the controlled directive has been placed on the NETL Intranet for employee use. Printed hard copies of this electronic version are considered noncontrolled documents.

- d. The Division Director of Acquisition and Assistance shall ensure that all site support contracts include requirements for compliance with this Order.
- e. RM Officer shall assist in ensuring Vital Records Program receives necessary support.
- f. Vital Records Program Officer shall:
  - (1) Develop policies, procedures, and operating guidelines for the establishment and implementation of the Vital Records Protection Program.
  - (2) Conduct annual reviews to ensure vital records are current, complete, adequately protected, accessible, and immediately retrievable.
  - (3) Ensure that records are collected, marked, and numbered for immediate retrieval and forwarded to the storage site.
  - (4) Prepare and maintain a complete inventory of records in storage, ensure that emergency operating and rights and interests records are packaged separately, and ensure separate inventories are prepared to allow for segregated storage as necessary.

6. POLICY. It is the policy of NETL to establish and maintain a Vital Records Protection Program that ensures the protection and availability of information critical to effective emergency response management and the protection of the legal rights and interests of citizens and NETL employees. This will be achieved through:

- a. Establishing a Vital Records Committee (to include member(s) of Office of Institutional and Business Operations, ES&H Representative, Records Management Officer, and representative(s) of Records Management).
- b. Establishing off-site and on-site storage areas for immediate access.
- c. Identifying vital records.

7. REFERENCES.

- a. DOE Order 200.1, [Information Management Program](#).
- b. NETL Order 243.2, [Records Management Program](#).
- c. 36 CFR 1236, Management of Vital Records.

8. DEFINITIONS.

- a. Disaster -- An unexpected occurrence inflicting widespread destruction and distress and having long-term adverse effects on agency operations.

- b. Emergency -- A situation or occurrence of a serious nature, developing suddenly and unexpectedly, and demanding immediate action. This is generally of short duration, for example, an interruption of normal agency operations for a week or less. It may involve electrical failure or minor flooding caused by broken pipes.
- c. Legal and Financial Rights Records -- Records considered “vital records” to protect the legal and financial rights of the Government and of the individuals directly affected by its activities. Examples include accounts receivable records, social security records, payroll records, retirement records, and insurance records.
- d. National Security Emergency -- Any occurrence, including natural disaster, military attack, technological emergency, or other emergency that seriously degrades or threatens the national security of the United States, as defined in Executive Order 12656.
- e. Off-Site Storage -- Off-site storage refers to a facility other than an agency’s normal place of business where vital records are stored for protection. This is to ensure that the vital records are not subject to damage or destruction from an emergency or disaster affecting an agency’s normal place of business.
- f. Vital Records -- Records essential for maintaining the continuity of Government activities during a national emergency. The Federal Vital Records Program includes two basic categories: emergency operating records and rights and interests records.
- (1) Emergency Operating Records are records vital to the essential functions of NETL for the duration of an emergency resulting from an attack on the country. These records include those necessary for the mobilization and protection of materials and manpower resources, of services and systems; the maintenance of public health, safety, and order; and the conduct of essential civil defense activities. These records must be available as needed at the Emergency Operation Center. Examples of emergency operating records are:
- (a) General Management Records are delegations of authority and management succession; regulations or announcements drafted for emergency purposes; listing of vital records storage locations; listing of NETL personnel, property, and activities sufficient to provide a basis for damage assessments; descriptions of essential emergency functions; and copies of basic regulations and procedures.
- (b) Lists of Key Personnel includes employees assigned to emergency duties and lists of employees with skills useful during and subsequent to an emergency. If the lists, or other information, are retrievable by a name or individual or other personal identifier, such as social security number, the information is subject to the Privacy Act of 1974, 5 U.S.C. 552(a).

- (c) Emergency Mission Records are determined by the relationship of the record to the assigned essential continuity of Government function.
- (2) Rights and Interests Records are records essential to the preservation of the legal rights and interests of NETL employees and other citizens and their government. These records require protection, but storage points do not have to be at or in the vicinity of Emergency Operation Centers. Examples of rights and interests records are:
- (a) Fiscal Records. Summaries of financial status and records of significant amounts of money owed to NETL contractors.
- (b) Valuable Research Records. Records key to the preservation of knowledge about existing, new, or developing theories, concepts, technologies, and complex systems.
- g. Vital Records Program -- The policies, plans, and procedures developed and implemented and the resources needed to identify, use, and protect the essential records needed to meet operational responsibilities under national security emergencies or other emergency or disaster conditions or to protect the Government's rights to those of its citizens. This is a program element of agency's emergency management function.
- h. Vital Records Program Officer -- The person responsible for implementing the NETL Vital Records Protection Program.

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NETL Director