

## CHAPTER 5. APPLYING SCHEDULES

5-1. POLICY ON APPLYING SCHEDULES. Once the National Archives and Records Administration (NARA) approves a records disposition schedule, it must be applied.

- a. For HUD Program Records: Use the proper HUD records disposition schedule in Handbook 2225.6. Note:
  - (1) Functional Schedules. Any HUD office can use a HUD schedule designed to cover the records of a function or program. Most HUD schedules are functional schedules.
  - (2) Organizational Schedules. HUD still has a few schedules which cover only the records of a specific organization. Only the organization named can use an organizational schedule. HUD is converting all organizational schedules to functional ones. Meanwhile, contact your Records Management Liaison Officer or the Departmental Records Management Officer (DRMO) if you have questions on what schedules to use.
- b. For HUD Administrative Records: Use the General Records Schedules (GRS) and HUD Records Disposition Schedule 3, "Administrative Records." Schedule 3 is Appendix 3 of Handbook 2225.6.
- c. For Other Agency Records in HUD Custody:
  - (1) These record series do not belong to HUD even though HUD creates and maintains them:
    - (a) Official Personnel Folder (OPF). Legally, this record belongs to the Office of Personnel Management (OPM). The sole record of Federal employment, it documents each employee's service, rights and benefits. After the employee's separation, HUD sends the OPF to the National Personnel Records Center in St. Louis, Missouri. The Center follows GRS 1, item 1, in disposing of the OPF.
    - (b) Individual Retirement Record (SF 2806). This record also belongs to OPM. It shows the amount taken from a Federal employee's pay for the retirement fund. HUD sends the record to OPM when the employee transfers or is separated.
  - (2) Agencies responsible for Governmentwide functions such as personnel have issued regulations on records retention standards for those functions. Retention standards set by agencies other than NARA are only guidelines, unless added to the records disposition schedules.

12/89

5-1

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5-2. WHEN TO APPLY SCHEDULES. Use these guidelines on when to apply

schedules:

- a. Transfer permanent records to the National Archives when their administrative value to HUD ends. To safeguard permanent records still in HUD custody:
  - (1) Type or print the word "PERMANENT" on their folder labels.
  - (2) Don't mix them with temporary records or nonrecord material.
- b. In general, retire and destroy records annually. Retirement and destruction can take place more or less often, depending on how fast the records grow. However, records should be destroyed within one year after their retention period ends.
- c. Retire or destroy records during slack periods if possible to avoid interfering with current office operations.
- d. Don't destroy records as scheduled if they are:
  - (1) Still needed for HUD business. See par. 5-3.
  - (2) The subject of an ongoing General Accounting Office audit, investigation or review. Such records must be kept until the audit, investigation or review is completed.
  - (3) Unusually significant so as to warrant permanent retention in the National Archives. In rare cases, particular files have more research value than the whole series. Example: Public housing project records are normally disposable, but records of the Pruitt-Iago public housing project in St. Louis had research value because of the severe social breakdown that occurred there. Contact the DRMO when the records to be destroyed are unusually significant.

IF the DRMO...	THEN...
Agrees that the records are unusually significant	Offer the records to National Archives for permanent retention (Chapter 3). National Archives makes the final decision.
Disagrees	Destroy the records as scheduled.

12/89

5-3. DECISION TABLE ON EXTENDING RETENTION PERIODS. NARA's approval is required to keep records beyond their scheduled retention period. Use this table to decide what action to take when records eligible for destruction are still needed:

IF the records are currently stored in...	AND IF the need for a longer retention period is...	THEN...	AND...
Federal Records Centers /1	Temporary	Request a temporary freeze on their destruction (par. 5-4).	
	Ongoing	Request a temporary freeze on their destruction (par. 5-4).	Request a schedule change to increase the retention period (par. 5-5).
HUD office space	Temporary	Separate them from disposable records.	Request a temporary extension of the retention period (par. 5-4).
	Ongoing	Separate them from disposable records.	Request a schedule change to increase the retention period (par. 5-5).

/1 If the volume is small, the records can be recalled from the Center, stored in HUD office space and treated as such.

5-4. HOW TO REQUEST TEMPORARY FREEZES OR EXTENSIONS.

- a. How to Make the Request: In writing to the DRMO:
- (1) Clearly describe the records involved.
  - (2) Cite the schedule and item covering the records.
  - (3) Give the volume involved.
  - (4) justify the need for further retention. This must be based on HUD's continuing administrative, legal or fiscal need for the records.

12/89

- (5) Tell when the records can be destroyed.
- (6) Give their current and proposed location. Include the accession and box numbers of records retired to the Federal Records Centers.

- b. Action by DRMO. The DRMO submits the request to NARA for

approval. NARA will place a temporary freeze on destruction of such records stored in Centers. The DRMO gives written notice if the request is not approved.

- c. To End the Freeze or Extension: Write to the DRMO when the freeze or extension is no longer needed. The records involved can then be destroyed. The DRMO will notify NARA.
- 5-5. HOW TO REQUEST REVISED RETENTION PERIODS: Submit a Form HUD-552, "Request Change in HUD Records Schedule." See Chapter 4. In Block 5 of the form, give the record volume involved. The DRMO requests NARA's approval to revise the schedule.
- 5-6. SCREENING: Taking disposable papers or folders out of a group of records so the rest can be kept in less space or retired. Screening is also called "purging" or "weeding."
- a. Criteria. Analyze the files to see if screening them will be cost effective. Screen files stored in HUD only when:
    - (1) The papers or folders to be kept:
      - (a) Have permanent value, or
      - (b) Are scheduled to be kept over 30 years, or
      - (c) Make up less than 50% of the files. It's feasible to screen records stored in the Centers only when 80-85% can be destroyed right away.
    - (2) Complete folders can be removed.
    - (3) Disposable material can be separated easily from individual folders.
    - (4) The materials to be removed can be easily identified.
    - (5) There is easy access to the records to be screened.
    - (6) Removing paper clips or fasteners is unnecessary.

12/89

5-4

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- b. Alternatives. If screening is not cost effective:
    - (1) Retire the whole series to a Center or keep it in the office until disposable as a whole.
    - (2) Avoid future problems by filing permanent or long-term temporary records apart from short-term temporary records or nonrecord material.

5-7. TYPES OF DISPOSITION ACTIONS:

- a. Retirement: Sending records to a Federal Records Center for

storage, servicing and ultimate destruction. Retired records remain in HUD's legal custody. See Chapter 6.

- b. Transfer: Changing the legal and physical custody of records from one agency/organization to another. This includes the transfer of permanent records to the National Archives. See Chapter 7. But, records are retired (not transferred) to a Center since legal custody doesn't change.
- c. Donation: Transferring files authorized for disposal to an eligible government (including a foreign government), organization or person that applied for them. (Authority: 36 CFR 1228.74(c)) See par. 5-8.
- d. Destruction: Physically destroying the record material itself or must removing the information (e.g., erasing magnetic tapes). HUD records are destroyed following approved schedules. See pars. 5-9 and 5-10.

#### 5-8. HOW TO MAKE A RECORDS DONATION.

- a. What Can Be Donated: Only nonrecord material and temporary records which:
  - (1) Are authorized for destruction. If not authorized, donation amounts to illegal destruction of the records.
  - (2) Do not contain information which cannot be revealed by law or because it would be contrary to the public interest.
- b. Who Can Receive Donated Records:
  - (1) An eligible government. A foreign government is eligible if it has an official interest in the records.

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(3) An institution.

(4) A corporation.

(5) A person or commercial business if the records directly relate to the custody or operation of properties acquired from the Government. Properties include buildings, machines, and other real or personal property.

#### c. Criteria. Donations can only be made when:

(1) The public interest will be served.

(2) The proposed recipient agrees in writing not to sell the records as records or documents.

(3) The transfer is made without cost to the U.S. Government.

(4) NARA approves it in advance.

d. How to Request NARA's Approval. The DRMO makes the request. Give the DRMO:

- (1) The name and location of the HUD office having custody of the records.
- (2) The name and address of the proposed recipient.
- (3) A list of the records involved. Identify them by series and give the starting and ending dates (e.g., 1971-73). Give the schedule and item number covering each series. The DRMO will add the NARA job and item numbers.
- (4) A statement providing evidence that:
  - (a) The proposed donation is in the best interests of the Government,
  - (b) The proposed recipient agrees not to sell the records as records or documents, and
  - (c) The transfer will be made without cost to the U.S. Government.
- (5) A certification that:
  - (a) The records do not contain information which cannot be revealed by law or because it would be contrary to the public interest, and/or

12/89

5-6

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- (b) Records proposed for donation to a person or commercial business are directly related to the custody or operation of properties acquired from the Government, and/or
  - (c) A foreign government wanting records has an official interest in them.

e. If NARA Disapproves the Request: HUD must destroy the records as scheduled.

#### 5-9. DESTRUCTION METHODS.

a. Paper Records. Normally, paper records must be sold as waste paper. The contract for sale must prohibit their resale for use as records or documents. See the following table for exceptions:

IF the records...	THEN...
Are security classified for national defense reasons.	See Handbook 1750.1, National Security Information.

Are restricted from public access and use by law, regulation or HUD policy or directive.

Safeguard against disclosure. The waste paper contractor must pulp or shred them. The destruction must be witnessed either by a Federal employee or, if authorized by HUD, by a contractor employee.

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Cannot be sold because the:

- . Volume is too small.
- . Market price is too low.
- . Records must be sorted and
- . cleaned first.

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Place them in wastebaskets.

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b. Records on Other Media. Nonpaper records (e.g., microforms; audio-visual materials; and magnetic tapes, disks and diskettes) may be salvaged and sold in the same manner and under the same conditions as paper records, except:

- (1) Erase and reuse media such as magnetic tapes and disks, if possible, or use a program which will completely overwrite the data to be destroyed. Simply telling an automatic data processing system to delete certain records will not protect against unauthorized access to the information.
- (2) Turn in media subject to the precious metals (e.g., gold, silver and platinum) recovery process when it cannot be erased and reused. (Source: 41 CFR Subpart 101-42.3) Examples are

12/89

5-7

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original (silver halide) microforms, used photographic fixing (hypo) solution, and photographic and x-ray film. Use the normal procedures and forms for turning in excess Government property, but note on the forms if access to data on the media is restricted by law, regulation or HUD policy or directive.

5-10. EMERGENCY DESTRUCTION. In these emergencies, records may be destroyed regardless of schedule instructions:

- a. When the Records Are a Threat to Human Health and Life or Property. Examples are vermin infested records or records housed under such bad conditions that they can't be used or repaired.
  - (1) Deteriorating film with a nitrocellulose base: Destroy immediately, following 36 CFR 1228.92. Notify NARA within 30 days.
  - (2) Other records posing a threat: Get NARA's approval before destroying--them. Contact the DRMO for help.
- b. When a State of War or Threatened War Exists.

(1) Destroy HUD records outside the continental United States immediately when:

(a) The Secretary decides that keeping them would hurt U.S. interests, or

(b) They take up space the military urgently needs and aren't worth keeping.

(2) Notify NARA of these disposals within 6 months. (Source: 36 CFR 1228.94)

5-11. WHEN SCHEDULE ITEMS CONFLICT. If two conflicting schedule items cover the same records, use the most recent one, even if it requires a longer retention.

5-12. WHEN NARA WITHDRAWS SCHEDULE ITEMS. In emergencies, NARA may withdraw an approved schedule item, either temporarily or permanently. An emergency is when disposal would harm the Government's interests or those of individuals. NARA notifies the affected agency by letter or bulletin.

5-13. WHEN SCHEDULE ITEMS ARE SUPERSEDED. An approved schedule item is automatically superseded when NARA approves a later schedule item covering the same records.

12/89