

FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554  <b>FCC DIRECTIVE</b>	<b>Title</b>	
	Essential Records Program	
	<b>Directive Number:</b> FCCINST 1111.2	<b>Effective Date:</b> February 2021

1. **PURPOSE:** This directive establishes and assigns responsibility for an effective Essential Records program in the Federal Communications Commission (FCC or Commission) as it relates to emergency preparedness. This directive includes processes for identifying records needed to protect the legal, human resources and financial operations of the FCC for use during emergency situations.
2. **BACKGROUND:** Every federal agency is required to establish and maintain an essential records program. The essential records program is one element of an agency’s emergency management and disaster preparedness and records management functions. The FCC must identify and protect those records that specify how it will operate in case of an emergency or disaster and those records that are essential to its continuing operations. Records must be accessible by personnel at the primary, alternate, and devolution locations.
3. **CANCELLATION:** This instruction supersedes FCCINST 1111.1, formerly titled FCC Vital Records Program, dated February 2013.
4. **SCOPE:** This directive covers all essential records and applies to all FCC programs and Bureaus and Offices.
5. **AUTHORITY:**
  - 36 CFR Part 1223 – Managing Vital Records (the term “vital records” was changed to “essential records” by the Department of Homeland Security, Federal Emergency Management Agency (FEMA) *Federal Continuity Directive (FCD) 1* in October 2012).
  - 44 U.S.C. Section 3101 et seq. requires the head of each Federal agency to establish and maintain an active, continuing program for the economical and efficient management of all records of the agency.
  - FEMA – Federal Continuity Directive (FCD) 1; January 2017.
  - FEMA – Federal Continuity Directive (FCD) 2; June 2017.
  - Presidential Policy Directive 8, National Preparedness, March 30, 2011.
  - 36 CFR 1230 “Unlawful or Accidental Removal, Defacing, Alteration, or Destruction of Records”.
  - 44 U.S.C. 3555 “Federal Information Security Modernization Act of 2014”.
  - General Records Schedules (GRS 5.3) Continuity and Emergency Planning Records (January 2017).

- Executive Order (EO) 12656 “Assignment of Emergency Preparedness Responsibilities”; November 1988.

6. DEFINITIONS:

Agency Records Officer (ARO) and OMD Records Management Team – the ARO is the individual responsible for overseeing the FCC’s records management program and is the team leader for the records management staff in the Office of the Managing Director (OMD).

COOP – Continuity of Operations. The FCC COOP Plan is developed and led by staff in the Commission’s Public Safety and Homeland Security Bureau (PSHSB), with collaboration and support from all FCC Bureaus and Offices.

Essential records – Information systems and applications, electronic and hardcopy documents, reference materials, and records needed to support essential functions during a continuity of operations event. The two basic categories of essential records are emergency operating records and legal and financial rights records. Emergency operating records are needed to respond to an emergency and for the continued functioning or reconstitution of an organization. Legal and financial rights records are critical to carrying out an organization’s essential legal and financial functions and vital to the protection of the legal and financial rights of individuals who are directly affected by that organization’s activities.

Essential records inventory – A list identifying the records designated as essential. It includes other identifying information such as where the records are located, who is responsible for them, when they are updated, and how to obtain access.

Records Liaisons Officers (RLOs) – Bureau and Office staff designated as the individuals responsible for records management activity in their assigned Bureau or Office. RLOs work in close collaboration with the FCC’s ARO and OMD’s Records Management Team.

7. POLICY: The FCC’s essential records program shall include the following procedures and practices to best ensure their availability in COOP, continuity of government, devolution of operations and other emergency situations.
- A. Identify essential records and prepare an essential records inventory, including:
    - 1) records that specify how the organization will operate in an emergency or disaster including appropriate policies, authorities, and procedures;
    - 2) records that are needed to protect the legal and financial rights of the government and citizens; and
    - 3) records necessary to ensure the organization’s continuity of operations including performance of essential functions and reconstitution of normal operations.
  - B. Develop and implement a plan for protecting and accessing the FCC’s essential records.
  - C. Review and, if necessary, update the essential records inventory at least annually.
  - D. Update essential records, as needed, and remove and destroy outdated copies in accordance with applicable records schedules, laws, regulations, and NARA guidance.

- E. Review the organization's essential records program annually to address new security issues, identify problem areas, update information to ensure the latest versions are available, and identify any missing essential records.
- F. Ensure that the ARO and OMD Records Management Team participate in continuity exercises and report results to FCC senior management.

8. ROLES AND RESPONSIBILITIES:

- A. Agency Records Officer and OMD Records Management Team – Located in the Office of the Managing Director, coordinates the Agency's essential records program.
- B. Records Liaison Officers (RLOs) – Working with system owners in their respective Bureaus and Offices, RLOs shall coordinate the identification, protection, certification and updating of essential records for their respective organizations. RLOs shall collaborate with the OMD Records Management Team and continuity planners to complete essential records inventories and share inventories with the continuity planners to ensure that the records and related systems are accessible during continuity exercises.
- C. PSHSB - The Public Safety and Homeland Security Bureau advises the Commission in all matters pertaining to public safety, homeland security, national security, emergency preparedness, disaster management, continuity and ancillary operations. PSHSB has responsibility for coordinating public safety, homeland security, national security, emergency management and preparedness, disaster management, including continuity testing, planning, exercises and related activities within the Commission.

9. EFFECTIVE DATE AND IMPLEMENTATION: This Directive is effective immediately and shall be implemented promptly upon distribution.



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