
Office of Information Affairs Notice

Date: January 30, 2025

To: All Agency Records Officers

From: Alexis R. Graves, Director

Subject: Agency Records Officer Approval Required to Dispose of Federal Records and Information

The U.S. Department of Agriculture (USDA) Departmental Records Program, within the General Counsel's Office of Information Affairs (OIA), requires Agency Records Officer (ARO) approval to dispose, transfer, delete, or destroy Federal records and information.

Agency Records Officers, appointed by the National Archives and Records Administration (NARA) and the Senior Agency Official for Records Management (SAORM), the Principal Deputy General Counsel, are responsible for their Agency records management practices, including approving and documenting disposition once USDA records and information become inactive.

USDA Personnel* must request ARO approval to dispose of, destroy, discard, delete, offsite transfer, or accession USDA records and information.

*USDA Personnel are defined as employees, contractors, students, volunteers, interns, Fellows, and Political Appointees.

Why is ARO approval needed?

USDA records and information must be retained according to NARA-approved records schedules and NARA guidance, which can change frequently, often before copies of records schedules may be disseminated, potentially leading to unauthorized disposition.

USDA records and information is subject to litigation, the Freedom of Information Act (FOIA) and other preservation holds, which the typical USDA Personnel do not have access to check. Records subject to litigation hold may not be moved without coordination with the Office of General Counsel.

USDA records disposition requires a check against active FOIA and litigation, as well as other preservation holds such as civil rights, and audit, or Office of Inspector General activity, completed by AROs and records management staff, attorneys, and other offices.

When records subject to litigation, FOIA and other preservation holds are not located, USDA is accountable and can face sanctions and serious financial penalties.

What is the Approval Process?

When records have met their in-house retention as required by NARA, USDA Personnel advise their AROs. Those AROs will then determine if disposition applies after consulting NARA schedules, guidance and policies.

USDA Personnel must request ARO approval to dispose of, destroy, discard, delete, transfer, or accession USDA records and information.

AROs review the Disposition Application and must use a NARA-approved disposition authority, not an Agency-created File Code, to approve disposition.

AROs keep logs of records disposition and transfer. When records are not located, USDA consults these logs for the approved disposal activities to present as evidence of why records are not found.

As a reminder, there are civil and criminal penalties for the unauthorized destruction, deletion, disposal, alienation and falsification of Federal records, and the unauthorized disclosure of National Security Information (NSI). 18 U.S.C. § 2071.

If USDA Personnel destroy, discard, delete, transfer, shred, or dispose of records in any way, shape or form without ARO approval, USDA is exposed to legal and other civil penalties, including any legal sanctions, paid by the Personnel, and USDA.

For any questions, contact the Departmental Records Program:

Departmental Records Officer (DRO) Beatriz Collazo, at Beatriz.Collazo@usda.gov, or USDADepartmentalRecords@usda.gov.