

### § 1223.3

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.

*Emergency operating records* are those types of vital records essential to the continued functioning or reconstitution of an organization during and after an emergency. Included are emergency plans and directive(s), orders of succession, delegations of authority, staffing assignments, selected program records needed to continue the most critical agency operations, as well as related policy or procedural records that assist agency staff in conducting operations under emergency conditions and for resuming normal operations after an emergency.

*Legal and financial rights records* are that type of vital records essential 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. These records were formerly defined as “rights-and-interests” records.

*National security emergency* means 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.

*Off-site storage* means a facility other than an agency’s normal place of business where records are kept until eligible for final disposition. Vital records may be kept at off-site storage to ensure that they are not damaged or destroyed should an emergency occur in an agency’s normal place of business.

*Vital records* means essential agency records that are needed to meet operational responsibilities under national 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).

*Vital records program* means the policies, plans, and procedures developed and implemented and the resources needed to identify, use, and protect the

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essential records needed to meet operational responsibilities under national security emergencies or other emergency conditions or to protect the Government’s rights or those of its citizens. This is a program element of an agency’s emergency management function.

#### § 1223.3 What standards are used as guidance for Part 1223?

These regulations conform with guidance provided in ISO 15489–1:2001. Paragraphs 4 (Benefits of records management), Paragraphs 7.1 (Principles of records management programmes) and 9.6 (Storage and handling) apply to vital records.

#### § 1223.4 What publications are incorporated by reference in this part?

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, NARA must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the Office of the Federal Register. For information on the availability of this material at the Office of the Federal Register, call 202–741–6030 or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(b) The material incorporated by reference is also available for inspection at NARA’s Archives Library Information Center (NWCCA), Room 2380, 8601 Adelphi Road, College Park, MD 20740–6001, phone number (301) 837–3415, and is available from the sources listed below.

(c) The following Web publication is available on-line at <http://www.fema.gov/pdf/about/offices/fcd1.pdf>; it is published by the Department of Homeland Security (DHS), 245 Murray Lane, Washington, DC, 20528, phone number, (202) 245–2499.

(1) Federal Continuity Directive 1 (“FCD 1”): Federal Executive Branch National Continuity Program and Requirements, February 2008, IBR approved for § 1223.14.

(2) [Reserved]