

For: FSA Employees and Contractors

Shredding Paper Documents Containing Protected Data

Approved by: Deputy Administrator, Management



1 Overview

A Background

A method of improper data collection can be through the act of “dumpster diving” whereby individuals can obtain access to improperly disposed of documentary material that contains PII and data protected from disclosure by the Privacy Act or FOIA. PII and data protected from disclosure by the Privacy Act or FOIA are collectively known as “**protected data**”.

One key to significantly limiting the risk posed by improper documentary material disposal is to shred **nonrecord** paper documents that contain protected data. When a determination is made that retention is no longer required, FSA employees and contractors are responsible for the proper shredding of the nonrecord paper documents containing protected data that was used/created when accomplishing their official duties.

FSA offices have requested guidance about the shredding of nonrecord paper documents containing protected data.

B Purpose

This notice provides the following:

- process for shredding nonrecord paper documents containing protected data
- **when funding allows**, the shred size requirements when purchasing office shredders.

Important: This notice does **not**:

- address the shredding of classified (top secret, secret, and/or confidential) information
- require a change to the current protected data shredding practice in FSA offices

Disposal Date	Distribution
May 1, 2012	All FSA employees and contractors; State Offices relay to County Offices

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1 Overview (Continued)

B Purpose (Continued)

- require the purchase of new office shredders
- require the use of a commercial document shredding vendor.

C Contact

If there are questions about this notice, contact John Underwood, Privacy Act Officer/PII Officer, by either of the following:

- e-mail at john.underwood@kcc.usda.gov
- telephone at 816-926-6992.

2 Official Records and Nonrecords

A Official Records

Official records are all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the U.S. Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them (44 U.S.C. 3301).

This notice **does not** supersede and/or replace guidance about official record disposal or requirements to retain documentary material that is subject to the general records retention freeze and/or subject to specific litigation holds. Official records management and records disposition is covered by the Federal Records Act (44 U.S.C. Chapter 33).

Note: FSA procedures for the State and County Records Management Program are in 25-AS.

B Nonrecords

Important: This notice applies **only** to the shredding of nonrecord paper documents containing protected data.

Nonrecord documentary material is Federal Government-owned documentary material that does **not** meet the legal or statutory definition of an official record or that are excluded from the coverage (defined as “nonrecord materials” by the National Archives and Records Administration (NARA) regulations). Documentary material excluded from the definition of a record include the following:

- extra copies of documents that are retained only for convenience of reference

2 Official Records and Nonrecords (Continued)

B Nonrecords (Continued)

- library and museum materials intended solely for reference or exhibition purposes
- stocks of publications and of processed documents.

A nonrecord paper document is 1 that requires no official action on the part of USDA and upon which no official action is taken on the part of USDA.

Example: Documentary materials that do not/will not serve as the basis for any official USDA action, such as a draft copy where an error has been made and a corrected draft copy has been created to replace the draft copy containing the error.

A nonrecord is a duplicate copy/duplicate print out of an official record or an exact copy of official record where upon which no additional operational or administrative notation (electronic or handwritten) action has been recorded.

NARA regulations define documentary materials **not** owned by the Federal Government as “personal papers”. Personal papers are documentary materials of a private or nonpublic character that do **not** relate to, or have an effect upon, the conduct of USDA business.

3 Guidelines for Shredding Protected Data

A National Institute of Standards Technology (NIST) Special Publication 800-88

Paper documents containing protected data can be sanitized by shredding. NIST Special Publication 800-88 recommends for paper documents containing protected data that the shred size of the refuse/output should be small enough that there is reasonable assurance, in proportion to the level of data confidentiality, that the protected data **cannot** be reconstructed.

B Risk Assessment – Output Shred Size

A risk assessment about the protected data routinely handled/processed by FSA has determined the appropriate maximum office shredder shred size (refuse/output) for paper documents containing protected data to be **no** larger than 3/32” x 19/32” (2.4 mm x 15 mm) micro-cut particles.

When obtaining new office shredders, FSA offices shall purchase shredders that meet/exceed the identified maximum office shredder shred size.

Important: There is **no** requirement to:

- purchase new office shredders
- discontinue using current office shredders that do not meet the identified maximum office shredder shred size.

Note: The requirement is for new office shredder purchases only.

3 Guidelines for Shredding Protected Data (Continued)

B Risk Assessment – Output Shred Size (Continued)

Under no circumstances shall FSA employees or contractors place **nonshredded** paper documents containing protected data into:

- trash cans
- recycle bins.

C Methods of Shredding

FSA office shall use an office shredder and/or a commercial document shredding vendor to perform protected data shredding. Using a commercial document shredding vendor that possesses active National Association for Information Destruction (NAID) certification is highly recommended.

Note: When using a commercial document shredding vendor, paper documents containing protected data **shall** be placed in a locked onsite shred bin while awaiting shredding. The commercial document shredding vendor may do either of the following:

- perform protected data shredding at the FSA office (mobile shredding capability)
- transport protected data to the vendor's facility for shredding.

D Protected Data Shred Collection Bins

The shred collection bin in the office shredder should **not** be emptied and the locked onsite shred bin for the document shredding vendor should **not** be released to the document shredding vendor until the shred collection bins are at least 75 percent full. This approach helps to ensure that the number of paper documents being shredded produces an output so sufficiently commingled that the potential for reconstructing the individual paper documents is substantially reduced.

E Disposing of Office Shredder Output

Once properly shredded according to subparagraph B, the resulting office shredder refuse/output no longer poses a protected data concern and may be disposed of according to established local policy.

F Purchasing Shredders When Funding Allows

When funding allows, FSA offices may purchase **any** shredder for the shredding of paper documents that contain protected data as long as the office shredder meets the maximum shred size (refuse/output) requirement defined in subparagraph B.