

What is a Record?

According to the [National Archives and Records Administration](#), "Records include 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 United States 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."

Grant Financial Management Requirement

Department of Justice (DOJ) grantees are required to keep separate records of different federal fiscal periods. This is done so that information can be easily located. Grantees are also required to ensure that the records are protected from natural disasters or fire.

Per 2 CFR 200.334, "Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award **must be retained for a period of three years** from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities."

Important Information to Know

Records access

Grantees must allow the awarding agency complete access to any books, documents, papers, or other records of recipients which are pertinent to the award in the event the awarding agency needs to conduct monitoring. This access also applies to the Comptroller General of the United States, the pass-through entity (if applicable), or any of their authorized representatives. The right of access must not be limited to the required retention period but as long as the records are retained.

In most cases, the records that the awarding agency access would not include personally identifiable information about the individuals that the grantee has provided services to under the grant. Per the DOJ Grants Financial Guide, "[O]nly under extraordinary and rare circumstances would such access include review of information that would personally identify confidential informants or victims of crime. Routine monitoring cannot be considered extraordinary and rare circumstances that would necessitate access to this information. When access to the information that could personally identify victims of a crime is determined to be necessary, appropriate steps to protect this sensitive information must be taken by both the non-Federal entity and the DOJ grant-making component."

Exceptions to retention requirements

Per [2 CFR 200.334](#) (a) through (f), there are some exceptions to the retention requirements for records.

EXCEPTIONS TO RECORD RETENTION REQUIREMENTS

- ▶ If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- ▶ When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- ▶ Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- ▶ When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- ▶ Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.
- ▶ Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: Indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
 - ◆ If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.

- ◆ If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

How This Applies to Your Grant

Record retention applies to both paper and electronic storage of applicable information, including electronic storage of faxes, copies of paper documents, images, and other electronic media. DOJ grantees that rely on an electronic storage system must be able to assure such a system is stable, reliable, and maintains the integrity of the information. When storing electronic images of paper documents, the system must also assure a full, complete, and accurate representation of the original, including all official documents.

What types of records should be retained?

- ▶ Financial records
 - ◆ Invoices, copies of paid bills, and receipts
 - ◆ Time and attendance records
 - ◆ Bank statements
 - ◆ Contracts and subgrant documents
 - ◆ Prior authorization approval documents
- ▶ Procurement records
 - ◆ Backup for contract type selection
 - ◆ Basis for contractor selection
 - ◆ Rejection or basis for contract price
- ▶ Real property and equipment records
 - ◆ Description of property
 - ◆ Cost and source of property
 - ◆ Date property was acquired
 - ◆ Current location of property
 - ◆ Current use and condition

► Other records

- ◆ Evidence of subrecipient monitoring (A-133 Audit Reports)
- ◆ Indirect cost rate proposals
- ◆ Cost allocation plans
- ◆ Cost-share documentation
- ◆ Compliance records

References

U.S. Department of Justice. (2017). DOJ Grants Financial Guide. <https://www.ojp.gov/DOJFinancialGuide>

National Archives and Records Administration. (2018). *Frequently asked questions about federal records management*. <https://www.archives.gov/records-mgmt/faqs/federal.html#record>

OJP TFSC offers resources on a variety of grants financial management topics, which can be found on our website at <https://www.ojp.gov/tfsc/resources>

About the OJP Territories Financial Support Center

The Office of Justice Programs Territories Financial Support Center (OJP TFSC) offers free resources, training, and technical assistance for grantees in the U.S. territories. OJP TFSC services focus on building financial management capacity and can be accessed by emailing OJPTFSC@usdoj.gov via our Virtual Support Center.



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