



March 6, 2014

MEMORANDUM FOR REGIONAL COMMISSIONERS, PBS
REGIONAL LEASING DIRECTORS
REGIONAL LEASING SERVICES OFFICERS

FROM: JAMES C. WISNER
ASSISTANT COMMISSIONER FOR OFFICE OF LEASING - PR

SUBJECT: LEASING ALERT - Storage, Handling, and Disposal of Lease Documents and Lease Files

This Leasing Alert provides guidance on the storage, handling, and disposal of lease documents and lease files.

Generally, all hard copy records such as Contract Case files can be scanned and managed electronically and the electronic copy can serve as the official record. This is consistent with the Federal Acquisition Regulation Subpart 4.802(f), which states agencies "may retain contract files in any medium (paper, electronic, microfilm, etc.) or any combination of media, as long as the requirements of this subpart are satisfied." Therefore, GSA regions may choose to store all required lease documents and lease files, consistent with G-Rex and Leasing Desk Guide Appendix B, Lease File Checklists, in an electronic format that would eliminate the need for the storage of paper lease documents and paper lease files.

In addition, FAR Section 4.805 requires that the process used to create and store records must record and reproduce the original document, including signatures and other written and graphic images completely, accurately, and clearly. To meet this requirement, the scanning resolution of the resulting electronic document must be text searchable with a minimal dots per inch (DPI) of 300, due to requirements set forth by the Pacer/CM/ECF system that most courts use for electronic filing of documents. Scanning at a higher DPI is acceptable but data storage space needs to be taken into consideration because of the larger file size.

Data transfer, storage, and retrieval procedures must protect the original data from alteration. The documents must be stored and maintained in a generally accessible format (such as in a portable document format (PDF), which displays a visible image of all original document signatures and adequately protects the document from alteration.

Unless law or other regulations require signed originals to be kept or the original documents are under a litigation hold, they may be destroyed after the responsible agency official verifies that record copies on alternate media and copies reproduced from the record copy are accurate, complete, and clear representations of the originals. However, if documents are under a litigation hold, GSA regional associates must consult with the Office of Regional Counsel before disposing of such documents. This pertains to all lease and lease-related documents under the GSA regional associate's possession or control, or in the possession or control of their subordinates, notwithstanding any other directives to transfer, modify, or destroy records in accordance with GSA record retention policies. If such documents are not preserved in accordance with a litigation hold request, GSA may not be able to defend its position in the anticipated litigation, and may be subject to sanctions, including adverse inferences and findings.

If you have any questions, please call me at (202) 208-4947.

Handwritten signature and date: 3/6/2014