

Records Management Policy RMP-2020-03:

Subject: Federal Records Disposal Authorization

1. Effective Date:

This policy is effective: **June 8, 2021**

2. Version:

Version #	Description	Comment
1.0	Initial Policy	Initial Policy Issued

3. Rescissions:

384 DM 1 – Disposition

4. Prepared By:

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5. Purpose

This policy summarizes how the U.S. Department of the Interior implements the authorized destruction or other disposition of Federal Records. Not following these requirements can result in penalties as defined in Title 18 USC 641 and 2071 applying to the unlawful removal, destruction, or other disposition of Federal Records.

6. Scope

This policy applies to all Departmental Staff. Bureaus/offices may issue implementing procedures consistent with this policy.

7. Authorities

- A. [44 USC 3308, Disposal of Similar Records Where Prior Disposal was Authorized](#)
- B. [36 CFR Part 1226.24, Implementing Disposition – How must agencies destroy temporary records](#)

8. Policy

- A. Federal Records identified with a temporary retention which have met their retention date and are not subject to a preservation hold are eligible for disposal and may be disposed of in accordance with 44 USC 3308. Federal Records not covered by an approved record schedule are considered permanent and cannot be destroyed. To prepare FederalRecords

for disposal, Departmental Staff must:

1. create a records inventory which includes the line of business, the record series, the title, date ranges, keywords, and/or names of Federal Records proposed for destruction
2. prepare and submit the appropriate disposal authorization (destruction request). The currently recognized disposal authorization options include:
 - a. DI-1941 - Documentation of Temporary Records Destruction
 - b. NA-13001 - Notice of Eligibility for Disposal
 - c. other options as documented and approved by the Responsible Records Officer for the respective bureau or office
3. provide initial approval
 - a. The Manager and Supervisor reviews and approves the destruction request to ensure that the Federal Records are no longer needed by the bureau/office for ongoing business purposes.
 - b. Once approved, the destruction request is provided to the Responsible Records Officer (RRO) for approval.
4. check Legal Hold List
 - a. The Office of the Solicitor produces a Legal Hold List that includes a description of records to be held, the effective dates of the records to be held, and possible custodians.
 - b. A legal hold can also include any special restrictions on the records transfers or other records management processes.
 - c. The disposal authorization should be reviewed against the Legal Hold List to ensure none of the Federal Records are responsive to an existing hold.
5. obtain RRO approval
 - a. The RRO will review to ensure the appropriate disposition authority has been provided for the temporary Federal Records in question and that they are due for destruction.
 - b. The RRO can delegate this responsibility to other Records and Information Management Staff within the bureau as appropriate.
 - c. Any rejection or request for additional information from the RRO or designee will revert to the Departmental Staff for corrections or explanation.
 - d. The RRO or designee should also determine if any optional additional approvals are required due to records sensitivity or other bureau requirements.
 - e. Once the RRO or designee has approved and signed the destruction request, the request is returned to the Departmental Staff to proceed with the authorized destruction.
6. obtain any additional approvals

- a. It is up to each bureau or office to determine who the Additional Authority should be and when that Additional Authority should be engaged.
 - b. If the destruction request contains extensive or potentially sensitive Temporary Records, it may be desirable for the Office of the Solicitor or a cross-functional team of bureau representatives to perform the role of the Additional Authority.
 - c. The Additional Authority established within the bureau or office will review the destruction request and the records inventory provided by the RRO to determine the risk of destroying the Temporary Records identified.
 - d. If denying the destruction request, the denial should be accompanied by the current litigation or preservation hold citation or other justification for retaining the records.
 - e. It is also acceptable for the Additional Authority to identify selected Temporary Records from the destruction package that should be held while the remainder of the package can proceed to final disposition.
7. perform authorized destruction
- a. The Departmental Staff performs the destruction once the approved destruction request is received from the RRO.
 - b. Once the destruction has occurred, signatures acknowledging the destruction are added to the destruction request and corresponding records inventory are sent back to the RRO for recordkeeping purposes.
 - c. Care should be taken to review current National Archives and Records Administration (NARA) guidelines to ensure the appropriate destruction methodologies (shredding, recycling, etc.) are taken depending on the content of the Temporary Records authorized for destruction.
- B. Record Loss and Unauthorized Destruction: Refer to Record Management Policy RMP-2020-09 for policy on handling records loss and unauthorized destruction.
- C. Disposition of Federal Records can take three primary forms as follows:
- 1. Permanent records are transferred to NARA for preservation.
 - 2. Temporary records are typically destroyed after meeting their approved retention.
 - 3. Temporary records can also be donated on an exception basis. RROs will need to be aware the appropriate procedures to follow in the event records are intended for donation.

9. Responsibilities

- A. Departmental Staff: Preparing and submitting inventories and disposition requests to the Manager, Supervisor, and the RRO or designee for review and approval.
- B. Managers and Supervisors:
 - 1. Review and approve/reject disposition requests submitted by Departmental Staff.

2. Responsibilities of Departmental Staff also apply to Managers and Supervisors.
- C. Office of the Solicitor: Communicate updated legal and preservation hold list to Departmental Staff and other individuals within DOI that require visibility.
- D. Responsible Records Officer
1. Review and approve/reject disposition requests submitted by Departmental Staff.
 2. Validate the destruction requests are not subject to legal holds.
 3. Identify the need for additional approvals on destruction requests.
 4. Identify staff to act as an approval designee.

E. Additional Authority

A flexible role to be fully defined by each bureau or office and RRO to support the requirements of their internal disposition authorization process. Offices that can comprise the Additional Authority can include but are not limited to Solicitor, FOIA Office, Office of Congressional and Legislative Affairs, or other offices that may have a need to place Federal Records on an extended hold to support business needs.

1. has the authority to issue additions or updates to the legal and preservation hold list for specific bureaus, offices, or the Department as a whole.
2. provides notification of release of any litigation holds or freezes to the Departmental Records Officer and/or the Responsible Records Officer.
3. optionally performs an additional review of disposition requests as deemed appropriate by the Responsible Records Officer and documented bureau policies and procedures.