

Records Management Policy: RMP-2020-09

Subject: Unlawful or Accidental Records Loss and Destruction Reporting

1. Effective Date:

This policy is effective on **June 8, 2021**.

2. Version:

Version #	Description	Comment
1.0	Initial Policy	Initial Policy Issued

3. Rescissions:

384 DM 3 - Removal or Destruction of Official Records

4. Prepared By:

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5. Purpose:

This policy establishes the U.S. Department of the Interior (DOI, Department) processes and timeline for reporting and managing the unlawful or accidental removal or destruction 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 3106](#) - Unlawful Removal, Destruction of Records
- B. [44 USC 2905](#) - Establishment of Standards for Selective Retention of Records
- C. [36 CFR 1230](#) - Unlawful or Accidental Removal, Defacing, Alteration, or Destruction of Records

8. Policy:

The DOI completes the following steps when reporting a potential loss of records to the National Archives and Records Administration (NARA). A potential records loss can be identified by Departmental Staff, a member of the public, or NARA. When the NARA identifies the potential records loss, the Responsible Records Officer (RRO) can skip to step B – Conduct Records Loss

Investigation.

- A. Issue Initial Notification of Potential Records Loss: All Departmental Staff are responsible for immediately notifying the respective RRO of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of Departmental Staff in a timely manner.
 1. The RRO will notify the Departmental Records Officer (DRO) of the potential records loss and will obtain feedback on the notification to NARA.
 2. Within 30 days of being notified, the RRO will perform initial inquiries to determine if there is a potential records loss and if required, will proceed with the notification to NARA as described below.
 3. The RRO will report the potential loss to NARA via email at: unauthorizeddisposition@nara.gov. This notification will include a brief description of the records potentially lost and an expected duration, not to exceed 90 days, of the pending investigation. The RRO will copy the appropriate bureau management, DRO, and Senior Agency Official for Records Management (SAORM) on the initial notification to NARA.
- B. Conduct Records Loss Investigation: The RRO will work with the program office to conduct a thorough investigation of what led to the potential records loss. The investigation must determine to the best extent possible the information required for the final report to NARA. The RRO can notify NARA if more than 90 days are required for complex records loss investigations
- C. Perform Records Recovery: The RRO will work with the program office to recover any lost or destroyed records to the extent possible.
- D. Issue Final Records Loss Report.
 1. The RRO will draft a final report to NARA based on the completed investigation that includes:
 - a. a complete description of the records with volume and inclusive dates
 - b. the bureau and office maintaining the records
 - c. a statement of the exact circumstances surrounding the removal, defacing, alteration, or destruction of records
 - d. a statement of the safeguards established to prevent further loss of documentation
 - e. when appropriate, details of the actions taken to salvage, retrieve, or reconstruct the records
 2. The RRO will review the draft report with the DRO and incorporate any feedback.
 3. The RRO will distribute the final report to NARA at the designated email

address. The RRO will copy both the appropriate bureau management, the DRO and SAORM on the final report.

- E. Develop and Implement Corrective Measures: The RRO will work with the program office to develop and implement corrective measure based upon the results of the final records loss report. NARA may respond with additional corrective measures that the RRO will also need to address.

9. Responsibilities

Departmental Staff are responsible for the creation, maintenance, safeguarding, and subsequent disposition of Federal Records within their purview. Departmental Staff are responsible for immediately reporting actual or suspected records loss or unauthorized destruction of records to their RRO, assisting with the investigation, and implementing corrective measures.