

## Records Management Policy: RMP-2021-05

### Subject: Transferring Records Between Organizations

#### 1. Effective Date:

This policy is effective on **May 11, 2022**.

#### 2. Version:

Version #	Description	Comment
1.0	Initial Policy	Initial Policy Issued

#### 3. Rescissions:

- 384 DM 4: Transfer of Records

#### 4. Prepared by:

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#### 5. Purpose

This policy summarizes how the Department of the Interior (Department, DOI) implements the requirements to ensure effective transfer of records from one organization to another and to ensure appropriate access for research and other operational purposes.

#### 6. Scope

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

#### 7. Authorities

- A. [Title 44 USC 2107, Acceptance of records for historical preservation](#)
- B. [Title 44 USC 2108, Responsibility for custody, use, and withdrawal of records](#)
- C. [Title 44 USC 2907, Record centers and centralized microfilming or digitization services](#)
- D. [Title 44 USC 2908, Regulations](#)
- E. [Title 44 USC 3103, Transfer of records to records centers](#)
- F. [36 CFR Part 1225, Scheduling Records](#)
- G. [36 CFR Part 1231, Transfer of records from the custody of one executive agency to another](#)
- H. [36 CFR Part 1232, Transfer of records to records storage facilities](#)
- I. [36 CFR Part 1233, Transfer, use, and disposition of records in a NARA federal records center](#)
- J. [36 CFR Part 1234, Facility standards for records storage facilities](#)
- K. [36 CFR Part 1235, Transfer of records to the National Archives of the United States](#)
- L. [Office of Management and Budget \(OMB\) M-19-21, Transition to Electronic Records](#)

## 8. Policy

The policy of the Department is to ensure that the transfer of Federal Records from one organization to another maintains appropriate access to Federal Records for research and operational purposes. This policy also promotes program continuity, cost effective storage, and document preservation. Federal Records subject to a preservation hold shall not be transferred without written approval from the Office of the Solicitor.

**A. Transferring Records to another Federal Agency:** National Archives and Records Administration (NARA) Regulation, 36 CFR 1231.10, prohibits the transfer of records from one executive agency to another without approval of the Archivist of the United States and the Responsible Records Officers (RRO) for both the sending and receiving organizations, except when records are transferred to Federal Records Centers (FRC) or NARA; when records are loaned for official use, or when the transfer of records or functions or both is required by statute, Executive Order, or Presidential reorganization plan. The following factors must be considered when transferring records between agencies:

1. Notification to NARA. An executive agency that proposes the transfer of records to another agency must request approval of the transfer of records from NARA by email at [RM.Communications@nara.gov](mailto:RM.Communications@nara.gov). The request must include all information identified by NARA regulation 36 CFR 1231.12.
2. Shared Service Provider Exception. Shared Service Providers that are transferring records to the owning agency do not require NARA approval. The Shared Service Provider needs to clearly document records ownership in their Service Level Agreement (SLA) with other agencies. All other steps identified for transferring to other federal agencies are still required.
3. Rescheduling Acquired Records. Records acquired as a result of a program transfer will be scheduled in compliance with 36 CFR 1225; however, the original records schedules may be used in the interim between the sending and receiving organization.
4. Costs of Transfers. Expenses incurred through an approved transfer should be addressed in writing between the sending and receiving organizations.
5. Restrictions on Use. Restrictions imposed under a statute or Executive order must continue to be imposed after the transfer as identified in NARA regulation 36 CFR 1231.16.
6. Program records in FRC.
  - a. The sending agency provides Folder/File Lists and accompanying Transfer Requests that apply to the records being transferred to the acquiring agency to ensure access to past records by departmental staff.
  - b. The sending agency also prepares a memorandum advising the FRCs of the transfer of responsibility and requests that the applicable records be noted with the

acquiring agency's records officer's name, address, and telephone number and the acquiring agency's record group.

7. Chain of Custody. The originating office transferring the records must complete the Request to Move Records and Chain of Custody Form (DI-3455), which must be approved by the acquiring agency. Once the transfer is complete, both the transferring and acquiring agencies should retain a copy of the DI-3455. The DI-3455 must include the following:
  - a. The total number of cubic feet or electronic volume of records to be transferred
  - b. The media of the records; e.g., microfilm, audiovisual, electronic
  - c. Any access restrictions imposed by statute, Executive order, or bureau or office determination
  - d. Whether the records contain Personally Identifiable Information (PII)
  - e. The associated System of Records Notice (SORN)
8. Folder/File List.
  - a. The sending agency provides a Folder/File List of records proposed for transfer to allow the receiving agency time to prepare for the receipt of the records. The Folder/File List will include the following:
    - 1) Current filing arrangement of the records giving subject (name and/or numbers)
    - 2) Inclusive date(s) of the records to be transferred
  - b. Records must be organized and separated by disposition authority.
9. Transferring Departmental Staff. Departmental staff that are transferring to another federal agency may only retain copies of Federal Records, including email and other electronic records, in rare cases and only after review and approval of the originating RRO. Consult RMP-2021-12 - *Records Transition for Transferring and Departing Departmental Staff* for specific requirements.

**B. Transferring Records Within the Department:** Records transferred between bureaus and offices within the Department do not require NARA approval prior to transfer, however:

1. Transfers within the Department require:
  - a. The DI-3455 – Request to Move Records and Chain of Custody Form and Folder/File List as described in paragraphs 8.A.7 and 8.A.8 outlined above
  - b. The approval of both the transferring and acquiring RROs
2. Departmental staff that are transferring to another bureau or office may only retain copies of Federal Records, including email and other electronic records, in rare cases and only after review and approval of the originating RRO. Consult RMP-2021-12 -

*Records Transition for Transferring and Departing Departmental Staff* for specific requirements.

**C. Transferring Records to a Federal Records Center (FRC).** NARA Regulation, 36 CFR 1232.10(a), authorizes the Archivist of the United States to establish, maintain, and operate records centers for the storage, processing, and servicing of records for federal agencies. When records are transferred to an FRC, ownership of the records remains with the bureau or office of origin; the FRC only provides storage, research, disposal, and recall service.

1. General FRC Requirements. The transfer of records to an FRC will comply with 36 CFR 1233. For further guidance on transferring records to a NARA FRC, consult the NARA FRC Program website (<http://www.archives.gov/frc/toolkit.html#transfer>). An FRC will accept bureau or office records subject to the following conditions:
  - a. The transfer is provided with an approved records disposition schedule.
  - b. The transfer is accomplished using the Archives and Records Centers Information System (ARCIS) at <http://www.archives.gov/frc/arcis>, the primary method for submitting records transfer requests and retrieving records from the FRCs.
  - c. The cost of transferring the records is less than the cost of maintaining them in office space and equipment.
  - d. The legal custody of agency records transferred to a NARA FRC remains with the agency. NARA acts as the agency's agent in maintaining the records. NARA will not disclose the records except to the agency that maintains the record, or under rules established by that agency which are consistent with existing laws.

NARA FRCs will destroy other eligible Federal Records only with the written concurrence of the agency having legal custody of the records.

2. Restrictions on Use. Records stored in the FRC are subject to the same restrictions imposed by statute, Executive order, or bureau or office determination that is indicated on the ARCIS transfer request. Use of transferred records must remain in compliance with these restrictions and with the approval of the RRO.

**D. Transferring Records to NARA.** NARA is authorized by 44 U.S.C. 2107 to accept for legal transfer records that are determined by the Archivist to have permanent (historical) value that warrant preservation. Permanent Records must be legally and physically transferred to the National Archives of the United States in accordance with 36 CFR 1235; specifically, when the records are eligible for transfer based on the transfer date specified in a NARA-approved records schedule or the records have been in existence for more than 30 years.

1. Transfer via FRC. Permanent Records that are being stored in an FRC for the Department are transferred to NARA following an approved Records Schedule during the annual move cycle.

2. Transfer Direct to NARA. Permanent Records in the physical custody of the Department are transferred to NARA following an approved Records Schedule. A bureau or office may offer Permanent Records directly to NARA. The Electronic Records Archive (ERA) is used for both records transfers from the FRC as well as direct offers.
3. Folder/File List Requirement. Regardless of whether the accession of permanent records is initiated through the FRC annual move process or a direct offer from the agency, all permanent records accessions to NARA must include a Folder/File List as described in section 8.A.8.
4. Electronic Records Metadata Requirement. Permanent electronic records transferred to NARA must include the metadata required in [NARA Bulletin 2015-004 - Metadata Guidance for the Transfer of Permanent Electronic Records](#).
5. Electronic Records Format Requirement. Permanent electronic records being transferred to NARA must be in a format identified in the [NARA Tables of File Formats](#).
6. Permanent Records Waiver. If the agency determines that the records are needed to conduct regular business, the RRO must submit a request certifying the continuing need to NARA, by email at [permanentrecords@nara.gov](mailto:permanentrecords@nara.gov). This certification must:
  - a. Include a comprehensive description and location of record to be retained
  - b. Cite the NARA-approved disposition authority
  - c. Describe the current business for which the records are required
  - d. Estimate the length of time the records will be needed (If no date is provided by the agency, approved certification requests will be effective for a maximum of five years.)
  - e. Explain why agency needs cannot be met by NARA reference services or copies of records deposited in the National Archives of the United States
  - f. Cite the statute(s) authorizing the agency activity if the records retention is to enable routine public reference by the agency rather than NARA
7. Restrictions on Use. Restrictions lawfully imposed on the use of transferred records will be observed and enforced by NARA.

**E. Transferring Records to Commercial Records Storage Facilities.** Bureaus and offices may store records in commercial records storage facilities, so long as the facilities meet the facility standards in 36 CFR part 1234 and the facility is approved by NARA. Records transferred to a commercial records storage facility remain in the legal custody of the agency.

1. As documented in OMB M-19-21 – *Transition to Electronic Records*, NARA will no longer accept analog (hard copy) records after December 31, 2022. Bureaus and offices that require offsite storage of analog records after 2022 will need to use acceptable commercial records storage facilities.
2. Transfer requirements for commercial records storage facilities may vary; however, bureaus and offices should prepare transfer documentation similar to what is required for transferring records to a NARA FRC.

**F. Transferring records that contain Personally Identifiable Information (PII).**

Appropriate safeguards must be taken when records subject to the Privacy Act are transferred within or outside the agency. Steps must be taken to assure the integrity and confidentiality of the records while in transit. In the event that any PII is suspected to have been lost or inadvertently released, privacy breach reporting requirements and responsibilities are outlined in the DOI Privacy Breach Response Plan. Please contact the appropriate Associate Privacy Officer and RRO.

**9. Responsibilities**

**A. Departmental Staff:** Prepare and submit inventories and transfer requests to the Responsible Records Officer for review and approval.

**B. Records Liaison:**

1. Ensures eligible program records are promptly prepared for transfer to an approved record storage repository
2. Prepares and submits inventories and transfer requests to the RRO for review and approval

**C. Manager and Supervisor:** Works with Records Liaison or RRO to approve and transfer records to the appropriate records storage facility in accordance with Departmental Records Schedules and NARA-approved records schedules.

**D. Responsible Records Officer:**

1. Approves all records transfers to approved facilities or NARA as a permanent record
2. Authorizes the transfer of records to or receipt of records from one federal agency and requests NARA's approval
3. Ensures disposition of Federal Records under the control of their organization
4. Delegates approval responsibilities as appropriate



## REQUEST TO MOVE RECORDS AND CHAIN OF CUSTODY

These procedures apply to the movement of ACTIVE and INACTIVE records within the U.S. Department of the Interior and transfers to other government agencies. This form must be used for ALL movement and transfers within the U.S. Department of the Interior, including bureaus and offices. This form is NOT required for transfers to the Federal Records Centers or the National Archives and Records Administration.

### Section 1: Sender or Originating Responsible Official (ORO) Information \*required fields

*The ORO will ensure that the following processes are followed during the transportation and transfer of custody of ACTIVE and INACTIVE records. The ORO must review the records being sent to determine whether the records are related to any litigation or preservation hold. Written authorization from the bureau/office Responsible Records Officer is required prior to any movement or transfer of records. The bureau/office Responsible Records Officer must maintain a copy of this DI-3455: Request to Move Records and Chain of Custody form in accordance with DAA-0048-2013-0001-0002.*

1. First Name:*	2. Middle Initial:	3. Last Name:*	4. Region/Agency/Program:*
5. Street Address:*		6. City:*	7. State:* 8. ZIP Code:*
9. Telephone Number:*		10. E-mail Address:*	

### 11. ORO's CERTIFICATION AND ACKNOWLEDGMENT\*

By signing below, I (the ORO) acknowledge that I have reviewed these records and certify that they:

- are NOT related to any litigation or preservation hold.
- are related to a litigation or preservation hold (identify here):

### 12. ORO's DESTINATION CERTIFICATION\*

By signing below, I also certify that all records listed on the detailed inventory were **shipped** to the recipient or DRO in Section 2.

13. Date:*	14. Signature:*
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### Section 2: Recipient or Destination Responsible Official (DRO) Information \*required fields

*The DRO will ensure that the following processes are followed during the transportation and transfer of custody of ACTIVE and INACTIVE records.*

15. Full Name:*	16. Region/Agency/Program:*		
17. Street Address:*	18. City:*	19. State:*	20. ZIP Code:*
21. Telephone Number:*	22. E-mail Address:*		

### 23. DRO's DESTINATION CERTIFICATION\*

By signing below, I certify that all records listed on the detailed inventory were **received and are accounted for** from the ORO in Section 1.

24. Date:*	25. Signature:*
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<b>Section 3: Move and Chain of Custody Information</b>		*required fields
26. Please provide a description of records to be moved or transferred below.*		
27. Medium of records to be moved/transferred:* <input type="checkbox"/> Non-Electronic Records Transferred by Physical Transfer <input type="checkbox"/> Electronic Records Transferred by Physical Transfer <input type="checkbox"/> Electronic Records Transferred by Electronic Means	28. Volume to be moved or transferred:* <b>Note: Attach detailed inventory or box lists.</b>  <input type="checkbox"/> Number of cubic feet: <i>(ex: one FRC box = 1 cubic foot)</i>  <input type="checkbox"/> Estimated volume <i>(e.g., MB, GB, or TB)</i> :	
29. Access Restrictions:* <input type="checkbox"/> Restricted-Fully <input type="checkbox"/> Restricted-Partly <input type="checkbox"/> Restricted-Possibly <input type="checkbox"/> Unrestricted <input type="checkbox"/> Undetermined		
30. Do the records contain Personally Identifiable Information (PII)?* <input type="checkbox"/> Yes <i>(proceed to Question 31)</i> <input type="checkbox"/> No <i>(proceed to Question 32)</i>		
31. If yes to Question 30, please identify the System of Records Notice and provide a description below.		
32. Records Series Number:*		
33. Method of Transportation:* <input type="checkbox"/> Physical Transfer <i>(see Section 6, #45 physical transfer checklist)</i> . Enter Tracking No.: <input type="checkbox"/> Electronic Transfer <i>(see Section 6, #46 electronic transfer checklist)</i>		
<b>Section 4: Responsible Records Officer Approval</b>		*required fields
<b>34. AUTHORIZATION*</b> <i>By signing below, I (the Bureau/Office Responsible Records Officer) am responsible for these records, and I authorize the move/transfer of these records.</i>		
35. Responsible Records Officer Full Name:*		
36. Title:*	37. Bureau/Office:*	
38. Signature:*		
<b>Section 5: Additional Approvals (as needed)</b>		*required fields
39. Name:*	40. Title:*	41. Signature:*
42. Name:*	43. Title:*	44. Signature:*



## Section 6: Move or Transfer Checklists

### 45. PHYSICAL TRANSFER CHECKLIST

- Place record(s) in an appropriate shipping parcel.
- Place a detailed inventory of records and the DI-3455 form in the first box or on first electronic device.

**NOTE: If the DI-3455 is not digitally signed, then the original, wet signature DI-3455 should be placed in the first box. If the DI-3455 is digitally signed, then the file may be e-mailed to the DRO.**

- Retain a copy of the detailed inventory and the DI-3455 form at the sender or ORO's office.
- Seal each box or other parcel with shipping tape when applicable (e.g., FedEx).
- Number multiple boxes sequentially (e.g., Box 1, Box 2, etc.) when applicable.
- Identify and use an approved shipping carrier that provides tracking information (see Question 23 for number).
- The ORO notifies the DRO when package(s) is ready for shipment and the approximate date of delivery. A copy of the shipping tracking sheet should be retained by the ORO.
- The DRO must verify the receipt of all records and provide a signed copy of this DI-3455 to the ORO within 3 working days from the receipt of records.
- The ORO and DRO will create and maintain a file in accordance with *DAA-0048-2013-0001-0002 (DRS 1.1.0002), Records Transfers* by shipment.

### 46. ELECTRONIC TRANSFER CHECKLIST

- Coordinate transfer of electronic records using government systems (e.g. Government E-mail, OneDrive, SharePoint, etc.).
- E-mail a detailed inventory of records and the DI-3455 form to the DRO.
- Retain a copy of the detailed inventory and the DI-3455 form at the sender or ORO's office.
- The DRO must verify the receipt of all records and e-mail a signed copy of this DI-3455 to the ORO within 3 working days from the receipt of records.
- The ORO and DRO will create and maintain a file in accordance with *DAA-0048-2013-0001-0002 (DRS 1.1.0002), Records Transfers* by shipment.

**Records Disposition:** Temporary, DAA-0048-2013-0001-0002 (DRS 1.1.0002) – Records Transfers. Cutoff when records are transferred. Destroy 7 year after cutoff.