

# ISSUING OFFICIAL SIGNATURE

(Part 2)

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3. SUBJECT/TITLE <b>Recordkeeping Requirements, Safeguarding Records</b>		
4. SUMMARY OF DOCUMENT CONTENTS <b>Revisions to IARMM Section 2.3.2</b> <b>Replaces Chapter 2, Section 2.3.2, Issued 03-06-2009</b>		
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Signed by: JOHN WHITE	

John E. White, Deputy Special Trustee – Program Management

**Indian Affairs Records Management  
Policy & Procedures Manual**

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**Effective Date: October 20, 2015**

**Chapter: 2** Recordkeeping Requirements

**Section: 2.3.2** Safeguarding Records

**Originating Office: Office of Trust Records**

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**2.3.2.1 Purpose.**

The purpose of this section is to establish policy and procedures to safeguard active and inactive Indian Fiduciary Trust Records (IFTR) and general trust records.

**2.3.2.2 Scope.**

The provisions of this section apply to Indian Affairs (IA) and the Office of the Special Trustee for American Indians (OST), hereinafter referred to as “bureaus.” The provisions of this section also apply to all other Bureaus and Offices within the Department of the Interior (DOI) that create, use, and manage Indian Fiduciary Trust Records (IFTR), hereinafter referred to as “trust bureaus.”

**2.3.2.3 Authorities.**

**A. Statutes.**

1. 44 U.S.C., Chapter 31, Records Management by Federal Agencies

**B. Regulations.**

1. 43 CFR, Part 2-Freedom of Information Act, Records and Testimony, Subpart K-Privacy Act
2. 36 CFR, Part 1220, Federal Records, General

**C. Guidance.**

1. 110 DM 26, Office of the Special Trustee for American Indians (November 24, 2009)
2. 303 DM 6, Indian Fiduciary Trust Records (September 5, 2003)
3. 303 DM 3, Files Management (May 9, 1995)

**2.3.2.4 Policy.**

**STATUTORY REQUIREMENTS**

- A. Office of Trust Records (OTR) shall establish safeguards against the removal or loss of records determined to be necessary and required by regulations of the Archivist of the United States (44 U.S.C. 3105).

**REGULATORY REQUIREMENTS**

- B. Bureaus shall protect their records in a safe and secure environment (36 CFR 1220.32(e)).

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- C. Bureaus shall maintain appropriate administrative, technical and physical safeguards to ensure the security and confidentiality of records (43 CFR 2.226(a)).

**GUIDANCE**

- D. OTR shall provide policy, guidance, procedures, technical assistance and training to bureaus and trust bureaus that create, manage, or use IFTR (303 DM 6).
- E. Bureaus and trust bureaus shall ensure that all IFTR under their control are properly maintained in accordance with OTR and bureau records management policies and procedures for IFTR (303 DM 6).

**2.3.2.5 Objectives.**

- A. Provide mandatory instructions for safeguarding records.
- B. Establish controls to maintain records.
- C. Provide guidance for records subject to record retention orders.

**2.3.2.6 Responsibility.**

- A. Office of Trust Records (OTR). OTR shall issue, update and disseminate the Indian Affairs Records Management Manual (IARMM) as policy and procedural guidance to establish and implement internal controls to safeguard records.
- B. Bureaus. Bureaus, including all offices and programs under its jurisdiction, shall ensure internal controls and safeguards are in place to protect IFTR and general trust records.
- C. Trust Bureaus. Trust bureaus within DOI and the Office of the Secretary shall safeguard IFTR.

**2.3.2.7 Procedures.**

- A. Active IFTR. Bureaus and trust bureaus shall:
  1. Ensure rooms or buildings have operating smoke detectors, fire alarms, and water sprinklers.
  2. Label file cabinets that contain personal, restricted or sensitive information with a Privacy Act Notice in accordance with IARMM Chapter 1.2.
  3. Identify and document the bureau staff member(s) responsible to maintain file cabinet keys.
  4. Return active IFTR to file cabinets and secure at the close of each business day.
  5. Ensure active IFTR are kept in locking file cabinets to protect the confidentiality and information for Indian tribes, Alaska Natives and individual Indians.

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6. Not remove active IFTR from program offices unless approved by the appropriate supervisor and documented on the Removal of Active Indian Fiduciary Trust Records (IFTR) Form, IARM Form 2010 (Appendix A). The form must be completed to document the removal and return of active IFTR.
- B. Inactive IFTR. Bureaus and trust bureaus shall:
1. Prepare inactive IFTR for shipment to the American Indian Records Repository (AIRR). Inactive IFTR must be sent to the AIRR within 30 working days from the date of approval to ship.
  2. Complete a Records Retention Certification Form, IARM Form 2011 (Appendix B) for inactive IFTR that must be maintained beyond their retention period. Inactive IFTR approved to be maintained beyond their retention will be classified as active records and must be maintained in accordance with 2.3.2.7.A.
- C. Active General Trust Records. Bureaus shall:
1. Ensure active general trust records are kept in locking file cabinets to protect the confidentiality and information for Indian tribes, Alaska Natives and individual Indians.
  2. Label all file cabinets that contain personal, restricted or sensitive information with a Privacy Act Notice in accordance with IARMM Chapter 1.2.
  3. Identify and document the bureau staff member(s) responsible to maintain file cabinet keys.
  4. Return active general trust records to file cabinets and secure at the close of each business day.
  5. Request approval from immediate supervisor to remove active general trust records from program offices when needed to conduct business away from the office.
- D. Inactive General Trust Records. Bureaus shall:
1. Prepare inactive general trust records for shipment to the AIRR. Inactive general trust records must be sent to the AIRR within 30 working days from the date of approval to ship.
  2. Complete a Records Retention Certification Form, IARM Form 2011 (Appendix B) for inactive general trust that must be maintained beyond their retention period. Inactive general trust approved to be maintained beyond their retention will be classified as active records and must be maintained in accordance with 2.3.2.7.C.
- E. Transfer of Active Records from One Location to Another. Active records may be transferred from one location to another in accordance to IARMM Chapter 4.1.
- F. Records Retention Orders. Bureaus shall comply with Records Retention Orders (RRO) issued by the courts. The RROs require that all records, regardless of media, which are relevant to pending litigation, even those considered temporary, must be preserved. Records

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governed by the RRO may not be destroyed. This requirement extends to the preservation (including backup files) of Electronically Stored Information (ESI).

1. Bureau staff is personally responsible to the court for preservation of these records and relevant information. Bureau staff may be held personally responsible for even the accidental destruction of information within this category. Appropriate disciplinary/adverse action, up to and including termination, may be taken against the staff for destruction (even accidentally) of records or relevant information including ESI.
2. Bureau staff must report all witnessed incidents pertaining to the destruction of records or other information relevant to the RRO to the Regional Records Liaison and/or Records Retention Order Compliance Coordinator.

**2.3.2.8 Appendices.**

- A. Removal of Active Indian Fiduciary Trust Records (IFTR) for Official Business, IARM Form 2010.
- B. Records Retention Certification, IARM Form 2011.



**REMOVAL OF ACTIVE INDIAN FIDUCIARY TRUST RECORDS (IFTR)  
FOR OFFICIAL BUSINESS**

<b>1. RESPONSIBLE OFFICIAL INFORMATION (Please Print):</b>			
a. Date:	b. First Name:	c. MI:	d. Last Name:
e. Trust Program Office:		f. Address:	
g. Telephone:	h. Fax:	Email:	
<b>2. ACTIVE IFTR INFORMATION:</b>			
a. Schedule or series number:		b. Title and/or subject of file or document:	
c. Quantity of documents/files/boxes to be removed:		d. Date(s) IFTR will be out of Trust Program Office:	
e. Reason for the removal:			
f. Certification: I certify that I will exercise all due care to safeguard the identified, active IFTR while in my custody.			g. Date:
<hr/> Signature of Responsible Official			
<b>3. APPROVAL:</b>			
a. The approving official's signature confirms approval of this document.			b. Date:
<hr/> Signature of Approving Official                      Title of Approving Official			
<b>4. RETURN OF IFTR CERTIFICATION/VERIFICATION:</b>			
a. Certification: I certify that all active IFTRs – files or documents have been returned to the official files within the Trust Program Office.			b. Date:
<hr/> Signature of Responsible Official			
c. Verification: I verify that all active IFTRs – files or documents have been returned and are accounted for in official files within the Trust Program Office.			d. Date:
<hr/> Signature of Verifying Official                      Title of Verifying Official			



## RECORDS RETENTION CERTIFICATION

### 1. RESPONSIBLE OFFICIAL'S INFORMATION:

a. Date:	b. Last name:	c. First name:	d. MI:	e. Title:
f. Program office (include regional office or agency name):		g. Street address:		
h. Office telephone:		i. Office fax:		

### 2. RECORDS INFORMATION:

a. Record schedule or series number:	b. Volume (cubic feet):	c. Date range:
d. Are these Indian fiduciary trust records? <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. Have these records met their retention dates? <input type="checkbox"/> No <input type="checkbox"/> Yes, when? _____		
f. Justification (state why it is necessary to keep these records at your location):		
g. Are the records required for a special project and a place in place: Yes ___ No ___ If yes, what is the expected project completion date? _____		

### 3. RECORD HOLDING FACILITY INFORMATION:

a. Physical location (street address) where records are stored:		
b. If trust records, are they stored in locking storage equipment? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	c. Does the room have the following (check all that apply)? <input type="checkbox"/> Sprinkler System <input type="checkbox"/> Fire Alarm <input type="checkbox"/> Smoke Detector <input type="checkbox"/> Climate Control with Limited Humidity	
d. Are the records stored near overhead water pipes, electrical equipment, excessive heat, humidity or in locations where rodents have been known to exist? <input type="checkbox"/> Yes (indicate which conditions apply) _____ <input type="checkbox"/> No		
e. Are any of these records at risk through continual use (worn appearance, faded print, brittleness, discoloration of paper, torn, marked up, taped, falling apart, water damaged, or in "last use" condition): <input type="checkbox"/> Yes (describe current condition) _____ <input type="checkbox"/> No		
f. Is there room to store these records in their current location? <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. I certify that these records have met the retention date established in the (check one box): <input type="checkbox"/> Indian Affairs Records Schedule (IARS) <input type="checkbox"/> General Records Schedule (GRS) These records are still needed and used on a regular basis for conducting current business.		
_____ Program Manager Name (print)	_____ Signature of the Program Manager	_____ Date

### 4. SUPERINTENDENT CONCURRENCE (If applicable):

_____ Superintendent Name (print)	_____ Signature of the Superintendent	_____ Date
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### 5. OFFICE OF TRUST RECORDS

_____ Regional Records Liaison (RRL)	_____ Signature of the RRL	_____ Date
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### 5. REGIONAL OR CENTRAL OFFICE DIRECTOR CONCURRENCE:

_____ Regional/Central Office Director Name	_____ Signature of the Regional/Central Office Director	_____ Date
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