

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

IARMM TRANSMITTAL SHEET

DOCUMENT IDENTIFICATION NUMBER	SUBJECT	ACTION
Chapter 2, Section 2.4.3	TRIBE/CONSORTIUM RECORDS MOVES	NEW
FOR FURTHER INFORMATION		ISSUANCE DATE
Office of Trust Records 505-816-1423		06 / 08 / 2010

This release prescribes policy and procedures for moving inactive Indian Fiduciary Trust Records (IFTR) to the American Indian Records Repository (AIRR) for storage from a Tribe/Consortium. This policy applies only when a Tribe/Consortium has entered into a written agreement to compact/contract a trust program or function under Public Law 93-638, as amended.



Ethel Abeita
Director, Office of Trust Records

FILING INSTRUCTIONS:

Insert: On the Trust Portal in the Trust Library under Program Offices, OCIO, Office of Trust Records, Indian Affairs Records Management Manual

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

2.4.3.1 Purpose.

This chapter establishes policy and procedures for moving inactive Indian Fiduciary Trust Records (IFTR) to the American Indian Records Repository (AIRR) for storage from a Tribe/Consortium. This policy applies only when a Tribe/Consortium has entered into a written agreement to compact/contract a trust program or function under Public Law 93-638, as amended.

2.4.3.2 Authorities.

A. 25 U.S.C. § 450, et seq., Indian Self-Determination and Education Assistance Act, Public Law 93-638, as amended by Title II of Public Law 103-413, the Tribal Self-Governance Act of 1994.

B. 25 U.S.C. § 4001, et seq., the American Indian Trust Fund Management Reform Act of 1994, Public Law 103-412, as amended by Public Law 104-109.

C. 44 U.S.C. § 3101 & § 3301, Federal Records Act, Public Law 81-754.

D. 25 CFR, Subpart C § 900.8, Contracts Under the Self-Determination and Education Assistance Act.

E. Federal Register, Volume 70, No. 166, pp. 51081-51083, "Final Decision Regarding Self-Determination and Self-Governance Funding Agreement Language on Fiduciary Trust Records Management", August 29, 2005 (hereinafter "2005 Final Decision").

2.4.3.3 Policy.

A. It is the policy of the Department of the Interior to provide storage for all IFTRs at the AIRR, at no cost to the Tribe/Consortium, when the Tribe/Consortium no longer wishes to keep the records.

B. Tribes/Consortia that elect to store IFTRs at the AIRR are responsible for the purchase of Federal Records Center (FRC) storage boxes and shipment of the inactive records to the AIRR.

C. Tribe/Consortium IFTRs transferred to the AIRR will not be indexed or entered into the Box Index Search System.

D. Tribe/Consortium IFTRs will not be destroyed.

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

E. Tribe/Consortium will continue to retain legal custody of IFTRs transferred to the AIRR.

2.4.3.4 Responsibilities.

A. Office of Trust Records (OTR). OTR is responsible for establishing a single Tribal storage and retrieval system for the Tribe/Consortium IFTRs stored at the AIRR. OTR is also responsible for providing technical assistance for Tribes/Consortia in preserving, protecting, and managing Indian Fiduciary Trust Records.

B. Tribe/Consortium. The Tribe/Consortium is responsible for preserving, protecting, and managing IFTRs during its management of trust programs in accordance with their Title IV agreement. The Tribe/Consortium is also responsible for storing and permanently retaining all IFTRs at the Tribe/Consortium offices or may store the records at the AIRR at no cost to the Tribe/Consortium.

2.4.3.5 Procedures.

A. Procedures to Transfer Tribe/Consortium Records to the AIRR for Storage. A Tribe/Consortium that elects to store inactive IFTRs at the AIRR must submit a written request to the Director, OTR indicating intent to do so, at 4400 Masthead N.E., Room 130, Albuquerque, New Mexico, 87109. A Memorandum of Understanding (MOU) must accompany the written request and clearly state that the Tribe/Consortium agrees to store inactive IFTR at the AIRR and agrees to follow OTR's established policies and procedures. The Tribe/Consortium should also provide the following information in their MOU:

1. Name of Tribal/Consortium employee(s) designated as the Records Officer(s) or point(s) of contact (POC). The employee(s) so designated will be responsible for: 1) signing requests to move records to the AIRR; 2) authorizing access to the records for Tribal/Consortium employees/representatives; and 3) requesting retrieval of records from the AIRR.

2. State whether the Tribe/Consortium will use the Indian Affairs Records Schedule (IARS) or a Tribal/Consortium records schedule to retire inactive records at the AIRR. If the Tribe/Consortium will use their own records schedule, they must provide a hard copy along with an electronic copy either in MS Word or Excel version of the records schedule to OTR prior to records being shipped to the AIRR. The Tribal/Consortium records schedule must identify records by a series number or by some other identifier used to categorize records created and maintained by a trust program.

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

3. State whether records management technical assistance will be required from OTR to transfer IFTRs to the AIRR.

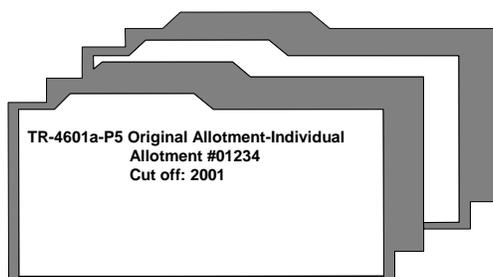
B. Instructions for Preparation of Inactive Records for Transfer to the AIRR. The following instructions apply to a Tribe/Consortium whether it has an established records schedule or has decided to use the IARS.

NOTE: Tribes/Consortia that do not have an existing records schedule should contact OTR for assistance on how to develop a records schedule and other information regarding the identification of their records.

1. Use the applicable records schedule to group records by records series or other file folder identifier(s) used by the Tribe/Consortium program.

a. Inactive IFTR file folders that do not have file folder labels may be identified by legibly printing on the file folder the record series number and title or any identifying information such as the name of an individual or a project number that applies to the file. See Illustration 1 below:

Illustration 1



b. Files should be placed in an FRC box (purchase information for FRC boxes may be obtained by contacting the OTR) using the filing arrangement indicated in the applicable records schedule. For example, assume that you are transferring 5 cubic feet of Timber Sales closed in fiscal year 1995. If the IARS is used, the filing instructions require that the files be arranged by contract number. Illustration 2 depicts how file folders would be placed in the boxes.

Illustration 2

Box 1: Contract #1000 through 2322

Box 2: Contract #2323 through 4422

Indian Affairs Records Management
Policy & Procedures Manual

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

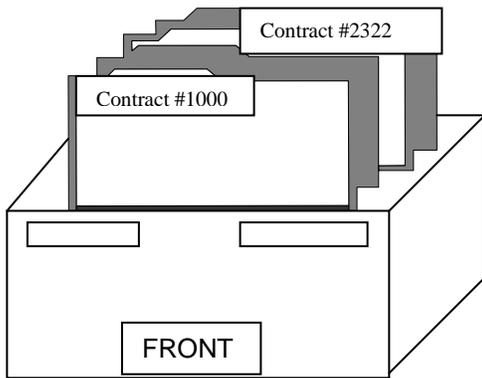
Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

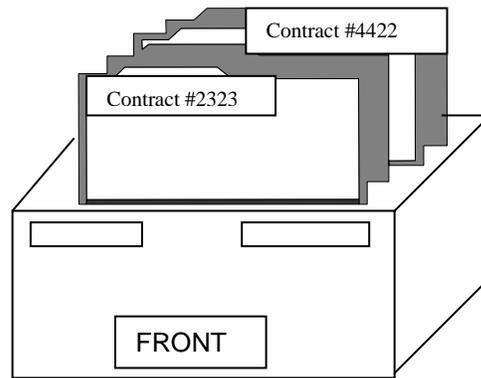
Box 3: Contract #4423 through 6632

Box 4: Contract #6633 through 7725

Box 5: Contract #7726 through 8800



Box 1



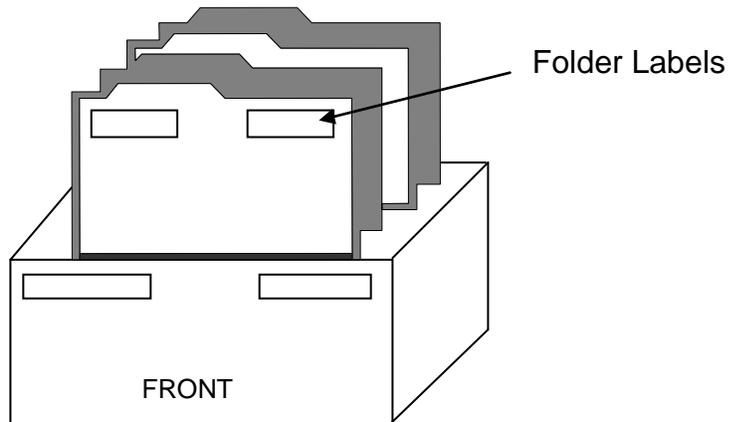
Box 2

If no filing arrangement is indicated, file folders should be placed in the FRC box sequentially by file folder name, date, project number, etc. or placed in the FRC box as the records were filed in the program filing cabinet.

2. Pack files upright, facing the front of the standard FRC box, never lay files flat.

a. With the front of the box facing you, letter-size files shall be placed starting at the front of the box. The word "Front" is written on the outside of the FRC box. See Illustration 3.

Illustration 3



Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

Tribe/Consortium Move Plan package will be reviewed and approved by the Director, OTR.

1. A Move Plan package consists of:
 - a. Records inventories. Detailed inventory that lists all file folders within each box. An electronic copy along with a hard copy should be included with the move plan package.
 - b. Record Move Request Form for Tribe/Consortium, Office of Trust Records Approval (IARM Form 2015) available from OTR.
 - c. Records Transmittal and Receipt (Standard Form 135) available from OTR.
 2. The Records Officer or POC shall forward all original documents to the OTR Regional Records Liaison (RRL).
 3. Upon receipt, the RRL will review the Move Plan package for accuracy and completeness.
 - a. If the Move Plan package is incomplete or inaccurate, the RRL will contact the Tribe/Consortium Records Officer or POC to discuss, and if applicable, clarify discrepancies and/or changes. If necessary, the paperwork will be returned to the Tribe/Consortium to modify or complete a new Move Plan package.
 - b. If the package is complete and accurate, the documentation will be forwarded to OTR-Albuquerque for approval by the OTR Director.
 4. Upon approval by the OTR Director, the Move Plan package will be returned to the Tribe/Consortium Records Officer or POC with an assigned OTR accession number(s) consisting of a six (6) character Tribe/Consortium location code, two (2) character fiscal year, four (4) sequential number (example: E03303-09-1234) with shipping instructions.
- D. Shipment of Boxes. Using the accession number(s) provided by the OTR, the Tribe/Consortium ORO shall label each box with the OTR accession number on the bottom center of the front of the FRC box as indicated in Illustration 6 below. A different accession number is provided for each group of boxes with a different record series or other file folder identifier.

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

NOTE: Do not mark in the “Accession Number” space on the front of the FRC box. This is reserved for use by the AIRR.

Illustration 6

ACCESSION NUMBER - - - - -	BOX NUMBER 1 of 6
- - - - -	
E03303-09-1234	

1. After writing the assigned accession number(s) on the bottom center of the FRC box(es), the Tribe/Consortium ORO shall prepare the boxes for shipment to the AIRR as follows:

- a. Place the original Move Plan package inside, to the front of box 1 (of each accession). The ORO will keep a complete copy of the Move Plan package.
- b. Close and secure all boxes by taping the flaps shut; shipping tape is recommended to seal the boxes.
- c. Recommend use of a carrier that allows for tracking of shipment.

2. The Tribe/Consortium ORO must notify the Destination Responsible Official (DRO) at the AIRR when the shipment has left its office and provide the DRO with an approximate date for arrival at the AIRR.

3. The DRO will confirm with the ORO that the records have arrived successfully and are accounted for. If for any reason there are discrepancies with the shipment, the DRO will contact the ORO. The ORO must notify the carrier immediately to initiate a trace for any boxes not received at the AIRR.

4. The ORO, with the assistance from the RRL will document actions taken to resolve any discrepancies with the shipment and include the documentation as part of the file.

5. Upon receipt of the transferred boxes, the DRO is responsible for certifying the receipt by completing and signing block 5 of the Move Request form. The DRO must forward via fax a copy of the completed Move Request form to the ORO, RRL, and OTR-Albuquerque within two working days.

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

6. The AIRR personnel will complete the shelf location on the Records Transmittal and Receipt (Standard Form 135) and return the form to the Tribe/Consortium when the boxes have been placed on the shelf at the AIRR. This document includes information that is necessary to locate the box(es) at the AIRR and therefore it is imperative that it be retained by the Tribe/Consortium for reference.

E. Transferring Inactive IFTRs to the BIA/OST Offices.

1. The Tribe/Consortium may transfer legal custody of the IFTRs to the Bureau of Indian Affairs (BIA) or Office of the Special Trustee for American Indians (OST). With this option, the inactive records will be prepared for storage according to the IARS as it applies to those records created in the administration of a trust program. A Memorandum of Understanding between the Tribe/Consortium and the BIA or OST program office and/or agency must be completed outlining the following:

a. That the records are being returned to the legal custody of the BIA from the Tribe/Consortium.

b. Acknowledgement by the Tribe/Consortium that the inactive IFTR will become federal records and the physical and legal custody of the records will transfer to the federal government.

c. Acknowledgement by the Tribe/Consortium that the records are subject to the Freedom of Information Act and Privacy Act requirements.

d. Who will prepare the records inventories and move plan forms according to the Indian Affairs Records Management Manual.

e. Tribe/Consortium may request *copies* of the inactive IFTR from the AIRR through the BIA or OST office.

f. Signatures and dates of the Tribe/Consortium and BIA or OST approving officials.

2. All other procedures as established in 2.4.3.5.C. and 2.4.3.5.D. still apply.

2.4.3.6 Appendices.

A. IARM Form 2015, Record Move Request (Tribe/Consortium).

Indian Affairs Records Management
Policy & Procedures Manual

Effective Date: June 8, 2010

Chapter: 2.0 Recordkeeping Requirements

Section: 2.4.3 Tribe/Consortium Records Moves

Originating Office: Office of Trust Records

B. Standard Form 135, Records Transmittal and Receipt.

C. Sample Memorandum of Understanding.