

ISSUING OFFICIAL SIGNATURE

(Part 2)

APPROVAL RECORD (Modified DI-228)	1. TYPE OF DOCUMENT IARMM	2. IDENTIFICATION NUMBER Chapter 4, Section 4.2
3. SUBJECT/ TITLE American Indian Records Repository (AIRR) Operations, Conducting On-Site Research of Federal Records at AIRR		
4. SUMMARY OF DOCUMENT CONTENTS Revisions to IARMM Section 4.2. This section replaces and supersedes Chapter 4, Section 4.2 Conducting On-Site Research of Federal Records at AIRR, Issued 10/17/2011, and all policies and procedures related to conducting on-site research of Federal records at the AIRR that may have been created and/or distributed.		
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**Indian Affairs Records Management
Policy & Procedures Manual**

Effective Date: October 26, 2016

Chapter: 4 American Indian Records Repository (AIRR) Operations

Section: 4.2 Conducting On-Site Research of Federal Records at AIRR

Originating Office: Office of Trust Records

4.2.1 Purpose.

The purpose of this section is to establish policy and procedures for conducting on-site research and access to records at the American Indian Records Repository (AIRR).

4.2.2 Scope.

The provisions of this section apply to any entity requesting access to AIRR for research purposes.

4.2.3 Authorities.

A. Statutes.

1. 5 U.S.C. § 552a The Privacy Act of 1974 as amended, Records maintained on Individuals
2. 18 U.S.C § 2071 Concealment, Removal, or Mutilation Generally
3. 18 U.S.C § 641 Public money, Property or Records

B. Regulations.

1. 41 CFR, Part 102-74, Conduct on Federal Property
2. 36 CFR, Part 1254, Research Room Rules
3. 36 CFR, Part 1230, Unlawful or Accidental Removal, Defacing, Alteration, or Destruction of Records

C. Guidance.

1. 303 DM 6, Indian Fiduciary Trust Records (September 5, 2003)

4.2.4 Policy.

A. STATUTORY REQUIREMENTS

1. Bureaus shall comply with the Privacy Act regarding records which are retrieved using personally identifiable information from a system of records created, maintained, used or disseminated (5 U.S.C. § 552a(e)).

B. REGULATORY REQUIREMENTS

1. AIRR shall issue, update, and maintain policies and procedures for proper conduct on federal property and appropriate research activities (41 CFR 102-74).

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C. GUIDANCE

1. Bureaus shall properly identify, manage, protect, and control Indian fiduciary trust records (303 DM 6).

4.2.5 Objectives.

- A. Safeguard and preserve federal records.
- B. Maintain the integrity of records while providing necessary access to those records.
- C. Provide uniform procedures for research activities.
- D. Provide on-site support services to researchers.

4.2.6 Responsibilities.

- A. Office of Trust Records (OTR). OTR shall issue, update, and disseminate the Indian Affairs and Records Management Manual (IARMM) as policy and procedural guidance to approve, deny, or revoke research requests for access to records at AIRR.
- B. OTR Director. OTR Director shall provide written notification of approval/disapproval on each research request(s) submitted and provide a courtesy copy to Division Chief, Division of Records Management Operations (DRMO).
- C. Division Chief, DRMO. Division Chief, DRMO shall be consulted on whether specific requests can be accommodated on a case-by-case basis. Division Chief, DRMO shall accommodate on-site research requests which include assigning an OTR employee to facilitate research request and assigning a space to accommodate the research activity. Division Chief, DRMO must provide an updated copy of the research agreement when researcher(s) arrive at the AIRR.
- D. Bureaus. Bureaus, including all offices and programs under its jurisdiction, shall comply with the procedures to access records stored at the AIRR for research purposes.
- E. Researcher(s). Researcher(s) shall adhere to the policy and procedures set forth in this section, view the research video and review and sign the research agreement prior to researching records at AIRR.

4.2.7 Procedures.

- A. Request for On-Site Visit/Access to Conduct Research. Researcher(s) are to submit all requests in writing to the OTR Director for approval. Include the full name(s) of the individual(s) who will be researching records, date(s) of proposed visit, a list of boxes to be researched, and the need for any special equipment or services (i.e., laptop access,

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duplication services, etc.). The researcher(s) must provide a general description of the research topic if the exact box(es) is not known.

1. **Legal Research Requests.** Research requests from a tribe, tribal representatives, federal agencies and/or federal contractors related to a litigation matter must be in writing and submitted to the Department of the Interior (DOI), Office of the Solicitor (SOL). The SOL will notify OTR Director in writing of the request, provide OTR with the full name(s) of the researcher(s), box(es) to be reviewed, and date(s) of research.
 2. **Non-legal/Non-litigation Research Requests.** All research requests shall be in writing providing the information as listed in 4.2.7.A of this IARMM section.
 - a. Requests from internal DOI offices, external federal agencies, and federal contractors must be submitted to the OTR Director for approval.
 - b. Requests from Indian tribes, individuals, or individuals conducting research on behalf of a tribe must be submitted to the DOI Freedom of Information Act (FOIA) office in order to obtain copies of records.
 3. **Research Request.** If the research request is approved, Division Chief, DRMO must provide an updated copy of the research agreement to the researcher(s) at the time of the visit to the AIRR.
- B. Security Requirements for Researcher(s).** Researcher(s) shall agree to an approved security background clearance performed by the Office of Personnel Management (OPM), a contractor or private company equivalent to those investigations performed by OPM in order to access records. *Exception:* After consultation with the SOL, OTR may waive the security clearance requirement on a case-by-case basis for non-Privacy Act materials only when the researcher(s) is solely performing individual research. OTR will evaluate requests for waiver on security clearance requirements by non-legal researcher(s) on a case-by-case basis and when the researcher(s) will be at the facility for a one-time visit to conduct research. When a waiver is granted, an OTR employee will be assigned to the researcher(s) to ensure records are not removed, damaged, or destroyed.
- C. Research Authorization Revocation.** OTR Director reserves the right to revoke authorization granted to any researcher(s) at any time for non-compliance with established rules.
1. Failure to abide by the established rules will result in the revocation of permission to conduct research.
 2. The revocation may last up to sixty (60) days for refusal to follow established rules.
 3. The sponsoring organization of the researcher(s), if applicable, will receive a written notice from the Division Chief, DRMO, of the decision to deny further research by the identified individual(s) beyond the sixty (60) day period.

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4. Researcher(s) may appeal revocations to the OTR Director within thirty (30) days from the date of the written revocation notice. Decisions made by the OTR Director are final. OTR will deny access to AIRR during the appeal period.
5. The researcher(s) or researcher's organization, if applicable, may re-apply for research privileges at the end of the revocation period.

D. Conduct On-Site Research.

1. On-Site Research. First time researcher(s) must view the video, read and sign the research agreement prior to accessing the records. Frequent researcher(s) will be required to view the video if it has been more than three (3) months.
2. Box Content Verification/Confirmation. Prior to conducting research, each researcher must verify that the box contents match the box inventory of the box. All researcher(s), including OTR research staff, must complete the verification/confirmation process using the applicable Box Integrity Resolution and Discrepancy Process Standard Operating Procedure.
 - a. The box inventory will be used to verify the box contents.
 - b. An OTR employee will provide the researcher(s) with specific information on what constitutes a discrepancy and is reportable to OTR.
 - c. Once a researcher completes the verification process, an OTR employee must concur with the researcher's findings. The researcher must perform the confirmation process upon completion of research before the box is returned to the National Archives and Records Administration.