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

Effective Date: October 09, 2015

Chapter: 5 Records Management Site Assessments

Section: 5.1 Site Assessments

Originating Office: Office of Trust Records

5.1.1 Purpose.

The purpose of this section is to establish policy and procedures for the site assessment of records management for Indian Affairs (IA) and the Office of the Special Trustee for American Indians (OST).

5.1.2 Scope.

The provisions of this section apply to IA and OST, hereinafter referred to as “bureaus.”

5.1.3 Authorities.

A. Statutes.

1. 44 U.S.C., Chapter 31, Records Management by Federal Agencies
2. 25 U.S.C. § 4001, et seq., The American Indian Trust Fund Management Reform Act of 1994, Public Law 103-412
3. 5 U.S.C. § 552a, The Privacy Act of 1974 as amended, Records maintained on individuals

B. Regulations.

1. 36 CFR 1220, Federal Records, General

C. Guidance.

1. 110 DM 26, Office of the Special Trustee for American Indians (November 24, 2009)
2. 110 DM 8, Office of the Assistant Secretary—Indian Affairs (June 21, 2007)
3. 303 DM 6, Indian Fiduciary Trust Records (September 5, 2003)
4. 380 DM 1, Records Management Program and Responsibilities (October 7, 1993)

5.1.4 Policy.

STATUTORY REQUIREMENTS

- A. Bureaus shall establish and maintain an active and continuing records management program (44 U.S.C 3102).

REGULATORY REQUIREMENTS

- B. Office of Trust Records (OTR) shall maintain the Indian Affairs Records Management Manual (IARMM) as a recordkeeping requirement directive for bureaus. The IARMM

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establishes program objectives, responsibilities, and authorities for the creation, maintenance, use and disposition of bureau records (303 DM 6, 36 CFR 1220.34(c)).

- C. A formal assessment shall be conducted to measure the effectiveness of the bureau's records management programs and practices and to ensure compliance with the IARMM and the National Archives and Records Administration (NARA) regulations (36 CFR 1220.34(j)).

GUIDANCE

- D. Bureaus' records shall be reviewed for recordkeeping compliance at scheduled intervals in order to validate that records are managed in accordance with the current IARMM recordkeeping requirements (380 DM 1.7.F).

5.1.5 Objectives.

- A. Records are created, maintained, and dispositions are met.
- B. Records contain adequate and proper documentation of the bureau's functions, policies, decisions, procedures, and essential transactions to protect the legal and financial rights of the government, tribes and individuals affected by the bureaus' activities.
- C. Effective management controls over the creation, maintenance, use, and disposition of bureaus' records are established.
- D. Safeguards against the unauthorized removal or destruction of the bureaus' records.
- E. IARMM is fully implemented and bureaus are in full compliance.

5.1.6 Responsibilities.

- A. Office of Trust Records (OTR). OTR shall establish policies and procedures and direct the implementation of a records management program.
- B. Bureaus. Bureaus, including all offices and programs under its jurisdiction, shall comply with the IARMM to establish, implement, and maintain a records management program.
- C. Office of Trust Review and Audit (OTRA). OTRA, an office within OST, shall conduct site assessments every three years for the bureaus that create, maintain, use, and disposition Indian Fiduciary Trust Records (IFTR). IFTR programs include, but not limited to, Social Services Individual Indian Monies Supervised Accounts, Natural Resources, Forestry Management, Probate and Estate Services, Office of Appraisal Services, Land Buy Back Program, and OST Field Offices.
- D. Program Management and Business Services-Indian Affairs (PMBS-IA). PMBS-IA shall conduct site assessments every three years for IA programs that create, maintain, use, and disposition general trust records. General trust programs include, but not limited to,

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Executive Direction; Acknowledgement; Administration—Facility Management, Property, Safety; Indian Services—Roads, Social Services, Tribal Government, Credit, Law Enforcement, and Education.

5.1.7 Procedures.

A. Preliminary Preparation for Site Assessment. OTRA or PMBS-IA shall:

1. Provide an engagement letter to the appropriate senior official of the intent to conduct a site assessment 30 calendar days prior to the visit. The engagement letter shall include:
 - a. Purpose and scope.
 - b. Date and the approximate duration.
 - c. Name(s) and contact information of the individual(s) conducting the assessment.
2. Coordinate with senior officials to:
 - a. Establish a point of contact and arrange for entrance and exit interviews.
 - b. Notify all offices, employees, and contractors that will be involved in the site assessment.
 - c. Set up interviews with individuals from each program office that manages program records.
 - d. Ensure copies of information requested from the program office are provided prior to the site assessment.
 - e. Ensure records are available for inspection.

B. Conduct the Site Assessment. OTRA or PMBS-IA shall conduct an entrance interview with individuals responsible for managing records within the regional, agency, or field office(s) (i.e., records contacts, program managers, Fiduciary Trust Officers, etc.). Entrance interview shall include:

1. An introduction of all individuals in attendance.
2. An explanation of the purpose and scope of the site assessment.
3. Review of organizational charts, directory, or listing of program offices to be assessed.
4. Review of the Site Assessment Questionnaire that will be used to assess the management of records.

C. Conclude Site Assessment. OTRA or PMBS-IA shall:

1. Conduct an exit interview with the appropriate senior official responsible for records management and for the implementation and completion of any corrective actions issued.
2. Accomplish the following at the exit interview:
 - a. Provide acknowledgement of positive records management practices discovered during the site assessment.

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- b. Identify specific weaknesses that need immediate corrective action and obtain consensus on a timeline.
 - c. Inform the appropriate senior official that a written Site Assessment Report will be forthcoming. Report will contain findings, recommendation and/or corrective actions.
- D. Site Assessment Report. OTRA or PMBS-IA shall write a report which will include responses to the records management questionnaire, observations, and corrective action(s) when applicable. The report will be sent to the respective bureau senior official no later than 30 days from the date of the assessment.
- E. Corrective Action Plan (CAP).
 - 1. Receipt of the Site Assessment Report. Bureau senior official must respond to the corrective actions in the Site Assessment Report by developing a CAP within 30 calendar days from the date of receipt. The bureau senior official shall:
 - a. Review the recordkeeping requirement findings and recommendations identified on the Site Assessment Report.
 - b. Distribute the final Site Assessment Report and the corrective action(s) to all affected programs, individuals, and offices responsible for records management and implementing the corrective action(s).
 - c. Assign responsibility to correct the deficiencies noted in the corrective action plan(s).
 - 2. Complete CAP(s). The responsible individuals from respective programs shall:
 - a. Complete the CAP(s) by complying with the instructions provided in the Site Assessment Report.
 - b. Indicate corrective action(s) that were implemented or provide a rationale for corrective action(s) not implemented that includes:
 - i. A date by which the program will fulfill the corrective action(s) or
 - ii. Reasons for failure to implement corrective action(s).
 - c. Obtain the approval signature from the respective bureau senior official.
 - d. Return the completed CAP to the responsible site assessment office (OTRA or PMBS-IA) within 30 calendar days from the date of receipt.
 - 3. Failure to Provide CAP(s) Response. OTRA or PMBS-IA shall:
 - a. Inform the responsible individuals from the respective programs that the completed CAP(s) have been not received. Notification will be made within 45 calendar days from the receipt of the program's written Site Assessment Report.
 - b. Inform the appropriate senior official that completed CAP(s) were not received from respective programs within 60 calendar days from the program's receipt of the written Site Assessment Report.
- F. Progress Reports.

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1. Update CAP(s). Bureau senior official shall submit an update on the CAP(s) progress at the end of each calendar quarter to OTRA or PMBS-IA. Updates shall include:
 - a. The current status and a description of what has been accomplished for each corrective action since the last report.
 - b. Any organizational changes in the offices or programs responsible for the overall or specific action implementation.
 - c. An explanation for any delays in implementation and revised target dates and milestones to complete the corrective action.
 - d. The approval signature of the bureau senior official.
2. Submit an Update on the CAP(s). Bureau senior official shall continue to submit updates on the CAP(s) until the corrective actions have been completed and implemented to the fullest extent possible or until OTRA or PMBS-IA indicates, in writing, that regular updates are no longer required.
3. Review and Follow-up on CAP(s). OTRA or PMBS-IA shall:
 - a. Review the submitted updates and provide guidance to the respective programs to achieve full implementation of the CAP(s).
 - b. Provide program managers notification if substantial progress has not been made to fully implement the corrective action(s).
 - c. Document CAP(s) non-compliance if programs do not complete the corrective action(s) after the follow-up reviews.
 - d. Continue to work closely with non-compliant programs to eliminate any obstacles to the implementation of the corrective action(s).