



THREE AFFILIATED TRIBES RECORDS MANAGEMENT POLICY

Section I. Definition of Records. All documents, papers, letters, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to them is open or restricted under Tribal law, created or received by the Three Affiliated Tribes or any of its officer or employees pursuant to law or in the transaction of public business are hereby declared to be the records of the Three Affiliated Tribes and shall be created, maintained, and disposed of in accordance with the provisions of this Resolution or policy and authorized by it and in no other manner.

Section II. Additional Definitions.

- (1) "Department head" means the officer who by Resolution or administrative policy is in charge of an office of the Three Affiliated Tribes that creates or receives records.
- (2) "Essential record" means any record of the Three Affiliated Tribes necessary to the resumption or continuation of its operations in an emergency or disaster, to the recreation of its legal and financial status, or to the protection and fulfillment of obligations to the people of the Tribe.
- (3) "Permanent record" means any record of the Three Affiliated Tribes for which the retention period on a records control schedule is given as permanent.
- (4) "Records control schedule" means a document prepared by or under the authority of the Records Management Officer listing the records maintained by the Three Affiliated Tribes, their retention periods, and other records disposition information that the records management program may require.
- (5) "Records management" means the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports, and correspondence, and the management of micrographics and electronic and other records storage systems.
- (6) "Records management officer" means the person designated in Section 5 of this Resolution.
- (7) "Records management plan" means the plan developed under Section 6 of this Resolution.
- (8) "Retention period" means the minimum time that must pass after the creation, recording, or receipt of a record, or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

Section III. Tribal Records Declared Public Property. All Tribal records as defined in Section I. of this Resolution are hereby declared to be the property of the Three Affiliated Tribes.

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No Tribal official or employee has, by virtue of his or her position, any personal or property right to such records even though he or she may have developed or compiled them. The unauthorized destruction, removal from files, or use of such records is prohibited.

Section IV. Policy. It is hereby declared to be the policy of the Three Affiliated Tribes to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all tribal records through a comprehensive system of integrated procedures for their management from creation to ultimate disposition, consistent with the requirements of the Three Affiliated Tribes and accepted records management practice.

Section V. Designation of Records Management Officer. The Secretary's Office and the successive holders of said office, shall serve as Records Management Officer for the Three Affiliated Tribes.

Section VI. Records Management Plan to be Developed; Approval of Plan; Authority of Plan.

- (1) The Records Management Officer shall develop a records management plan for the Three Affiliated Tribes for submission to the Three Affiliated Tribes. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of recordkeeping, to adequately protect the essential records of the Tribe, and to properly preserve those records of the Three Affiliated Tribes that are of historical value. The plan must be designed to enable the Records Management Officer to carry out his or her duties prescribed by federal and this Tribal Resolution effectively.
- (2) Once approved by the Three Affiliated Tribes, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the Three Affiliated Tribes and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the plan.
- (3) Tribal law relating to the duties, other responsibilities, or recordkeeping requirements of a department head do not exempt the department head or the records in the department head's care from the application of this Resolution and the records management plan adopted under it and may not be used by the department head as a basis for refusal to participate in the records management program of the Three Affiliated Tribes.

Section VII. Duties of Records Management Officer. In addition to other duties assigned in this Resolution, the Records Management Officer shall:

- (1) administer the records management program and provide assistance to department heads in its implementation;
- (2) plan, formulate, and prescribe records disposition policies, systems, standards, and procedures;

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- (3) in cooperation with department heads identify essential records and establish a disaster plan for each office and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
- (4) develop procedures to ensure the permanent preservation of the historically valuable records of the tribe;
- (5) establish standards for filing and storage of equipment and for recordkeeping supplies;
- (6) study feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system for the Three Affiliated Tribes;
- (7) monitor records retention schedules and administrative rules issued by federal and state agencies to determine if the records management program and the Tribes records control schedules are in compliance with regulations;
- (8) disseminate to the Three Affiliated Tribes and department heads information concerning laws and administrative rules relating to the tribal records;
- (9) ensure that the maintenance, preservation, microfilming, destruction, or other disposition of the records of the Three Affiliated Tribes are carried out in accordance with the policies and procedures of the records management program and the requirements of the federal law;
- (10) maintain records on the volume of records destroyed under approved records control schedules or through records destruction authorization requests, the volume of records stored electronically, and the estimated cost and space savings as the result of such disposal or disposition;
- (11) report annually to the Three Affiliated Tribes on the implementation of the records management plan in each department of the Three Affiliated Tribes including summaries of the statistical and fiscal data compiled under Subsection 10; and
- (12) bring to the attention of the Three Affiliated Tribes non-compliance by department heads or other employees with the policies and procedures of the records management program.

Section VIII. Duties and Responsibilities of Department Heads. In addition to other duties assigned in this Resolution, department heads shall:

- (1) Cooperate with the Records Management Officer in carrying out the policies and procedures established in the Three Affiliated Tribes for the efficient and economical management of records and in carrying out the requirements of this Resolution;
- (2) Adequately document the transaction of tribal governmental business and the services, programs, and duties for which the department head and his or her staff are responsible; and
- (3) Maintain the records in his or her care and carry out their preservation, electronic retention, destruction, or other disposition only in accordance with the policies and

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procedures of the records management program of the Three Affiliated Tribes and the requirements of this Resolution.

Section IX. Records Control Schedules to be Developed; Approval.

- (1) The Records Management Officer, in cooperation with departments heads, shall prepare records control schedules on a department by department basis listing all records series created or received by the department and the retention period for each series. Records control schedules shall also contain such other information regarding the disposition of tribal records as the records management plan may require.
- (2) Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the federal government and that it continues to reflect the recordkeeping procedures and needs of the Tribe and the records management program of the Three Affiliated Tribes.
- (3) Before its adoption a records control schedule or amended schedule for a department must be approved by the department head and the Three Affiliated Tribes.

Section X. Implementation of Records Control Schedules; Destruction of Records Under Schedule.

- (1) A records control schedule for a department that has been approved and adopted under Section IX shall be implemented by department heads according to the policies and procedures of the records management plan.
- (2) A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record, the subject matter of the record is pertinent to a pending law suit, or the department head requests in writing to the Records Management Officer that the record be retained for an additional period.
- (3) Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Three Affiliated Tribes.

Section XI. Destruction of Unscheduled Records. A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and the Records Management Officer has submitted to and received back from the director an approved destruction authorization request.