



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001
www.archives.gov

Sent Via Email. No Hard Copy to Follow.

February 28, 2020

Mr. David Alspach
Department of the Interior
Departmental Records Officer
MS 7145A
1849 C Street, NW
Washington, DC 20240
david_alspach@ios.doi.gov

Dear Mr. Alspach,

The National Archives Records Administration (NARA) has received an allegation of unauthorized disposition of records from the Bureau of Indian Affairs (BIA). This allegation states that BIA has destroyed records related to “an unrequested tribal affiliation change made by the Agency,” and is related to FOIA Case No. 18-CV-0367, which sought “all correspondence and related records from the Pacific Regional Office and the Southern California Agency of the BIA, regarding the incorrect degree of Indian blood certification issued to...”

The requester was sent some records related to the FOIA request, but not as many records as they had expected and filed an appeal through the court regarding the request. The response received during the appeal process indicated that “Since the FOIA request sought records from 1997-1999, it is possible that some records Mr. Reyes expected to see had been destroyed as they were considered temporary and subject to disposal.”

To address this allegation, please respond with the NARA-approved disposition authorities that cover tribal affiliation records and the Certificate Degree of Indian Blood (CDIB).

Sincerely,

LAURENCE BREWER
Chief Records Officer
for the U.S. Government



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April 10, 2020

Mr. David Alspach
Department of the Interior
Departmental Records Officer
MS 7145A
1849 C Street, NW
Washington, DC 20240
david_alspach@ios.doi.gov

Dear Mr. Alspach,

The National Archives Records Administration (NARA) received your report responding to allegations of unauthorized disposition of records from the Bureau of Indian Affairs (BIA). This allegation stated that BIA destroyed records related to “an unrequested tribal affiliation change made by the Agency,” and is related to FOIA Case No. 18-CV-0367, which sought “all correspondence and related records from the Pacific Regional Office and the Southern California Agency of the BIA, regarding the incorrect degree of Indian blood certification issued to...”

Your report states that, “the type of records sought in the FOIA request were classified as temporary records with a two-year disposition period until March 31, 2005. Specifically, these records were classified under NARA job number N1-075-89-1, series item 3722-T2 - Enrollment Verification Files and included the following records disposition instructions: ‘Cut off at end of calendar year. Hold 2 years then destroy.’ This series contained enrollment verification files, supporting documentation and related correspondence... Based on this information, BIA was able to lawfully destroy the type of records requested after a two-year retention period until March 2005. Since the records sought were from 1997-1999, BIA likely destroyed those records after they were retained for two years. The records requested were classified as temporary at the time they were created and properly destroyed, per the records disposition schedule.”

Based on the information in your report, NARA understands that no Federal records were improperly destroyed. Thus, the allegation of unauthorized disposition of BIA records is unfounded, and this case is now closed.

Thank you very much for your cooperation.

Sincerely,

A handwritten signature in blue ink that reads "Laurence V. Brewer". The signature is written in a cursive, flowing style.

LAURENCE BREWER
Chief Records Officer
for the U.S. Government

cc: Marybeth Roberts
Office of the Special Trustee for American Indians
Acting Records Officer