

Checklist for Proposing the Early Legal Transfer of Permanent Records

Agency: _____ Component (if applicable): _____
 Schedule Number: _____ Item Number: _____

Complete this checklist if your agency’s proposed records schedule includes instructions to legally transfer records to NARA that are less than 15 years old or security classified records less than 25 years old. Your agency does not need to complete this checklist if the proposed schedule is longer than 15 years for unclassified records or 25 years for security classified records. By completing this checklist, your agency acknowledges the access implications of legally transferring records to NARA. For more information, see [NARA Bulletin 2015-02, Scheduling Guidance on the Appropriate Age for Legal Transfer of Permanent Records to the National Archives of the United States](#).

. Use a new checklist for each schedule item proposed for early legal transfer. For Department-wide schedules, each component should provide responses to the checklist for each applicable schedule item.

Note: This checklist is intended to help determine if the proposed shorter legal transfer dates are appropriate. Submission of this checklist does not guarantee NARA will approve the proposed schedule.

1. Briefly state the reason(s) your agency is proposing a shorter legal transfer period:

	YES	NO
2. At the time of legal transfer to NARA, will there be an anticipated business need to access the records?		
3. Select the Freedom of Information Act exemptions that the agency anticipates would apply to these records at the time the records would be transferred to NARA(check all that apply):		
FOIA exemption (b)(1) - Information that is classified to protect national security.		
FOIA exemption (b)(2) - Information related solely to the internal personnel rules and practices of an agency.		
FOIA exemption (b)(3) - Information that is prohibited from disclosure by another federal law.		
If yes, please list the applicable statute(s):		

YES	NO
-----	----

FOIA exemption (b)(4) - Information that concerns business trade secrets or other confidential commercial or financial information.		
FOIA exemption (b)(5) - Information that concerns communications within or between agencies which are protected by legal privileges.		
FOIA exemption (b)(6) - Information that, if disclosed, would invade another individual's personal privacy.		
FOIA exemption (b)(7) - Information compiled for law enforcement purposes.		
FOIA exemption (b)(8) - Information that concerns the supervision of financial institutions.		
FOIA exemption (b)(9) - Geological information on wells.		
4. Are the records needed for regular audit or investigative purposes?		
5. Records Format (check all that apply):		
Paper-based textual records		
Still Pictures		
Maps And Charts		
Aerial Photography		
Motion Pictures		
Sound Recordings		
Structured Data Files (e.g., Database files)		
Unstructured Electronic Files (e.g., PDF text files)		

Agency Certifications

As Records Officer, I understand the procedures for accessing records that have been legally transferred to NARA. For analog or paper records, agencies will only be able to access the records at the NARA facility preserving the records through the normal researcher process. _____ (initial)

As Records Officer, I understand that upon legal transfer NARA will be responsible for making access determinations and responding to all FOIA requests for these records. _____ (initial)

Agency Records Officer or appropriate agency official (sign)

Date