

**SEPARATING PERSONNEL RECORDS ACCOUNTABILITY CHECKLIST –
SENIOR OFFICIALS OF OSD, THE OSD COMPONENTS, DEFENSE AGENCIES AND DOD FIELD ACTIVITIES ⁱ**

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 U.S.C. § 113, Secretary of Defense; Title 36 Code of Federal Regulations (CFR) Part 1220, Federal Records, General; Title 44 U.S.C. Chapter 31, Records Management by Federal Agencies; Title 44 U.S.C. Chapter 33, Disposal of Records; DoDD 5105.53, Director of Administration and Management; DoDD 5110.04, Washington Headquarters Services (WHS).

PRINCIPAL PURPOSE(S): To ensure the accountability of federal records and information created and maintained by or on the behalf of Senior Officials assigned to:

- The Immediate Offices of the Secretary of Defense, Deputy Secretary of Defense, and Executive Secretary,
- Principal Staff Offices of the Secretary of Defense; and
- The Heads of the Defense Agencies and DoD Field Activities.

ROUTINE USE(S): In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, the records contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as listed in the applicable system of records notice located at: <https://dpcl.d.defense.gov/Portals/49/Documents/Privacy/SORNs/OSDJS/DHRA-23-DoD.pdf>.

DISCLOSURE: Voluntary; however, there are various penalties for the unlawful removal or destruction of Federal records and the unauthorized disclosure of classified and controlled unclassified information.

**SECTION I: RECORDS ACCOUNTABILITY
COMPLETED BY THE SENIOR OFFICIAL OR PROXY**

SECTION I INSTRUCTIONS:

Section I must be completed by the Senior Official ⁱⁱ or authorized proxy ⁱⁱⁱ. The Senior Official or authorized proxy will:

- Schedule and receive a records management exit briefing by appropriate personnel no less than 30 days prior to scheduled departure.
- Ensure all records, data, emails, and text messages are migrated to approved filing locations or to appropriate personnel within 5 business days of departure from an OSD Component, Defense Agency, or DoD Field Activity (DAFA). Records created or received after the submission of this form and up to departure will be managed in accordance with the procedures below.
- For unscheduled separations, receive a records management exit briefing and complete Section I as soon as practicable.
- Upon completion of Section I, forward this form to Component/DAFA Records Management Personnel for review and completion of Section II.
- If the Senior Official desires to remove personal files or non-record copies of OSD/DAFA records and information, complete Section III. To allow for reviews by Office of Primary Responsibility (OPR), it is recommended to submit the completed form no later than 30 days prior to departure. The Senior Official or Proxy may begin Section III before or after Component/DAFA Records Management Personnel complete Section II.

a. Name of Official (*Last, First, Middle Initial*): **b. Estimated Departure Date** (YYYYMMDD):

c. Insert Title/Position: **d. Component** **e. Office:**

f. Category of Official (*select*)

- Category 1: SECDEF, DEPSECDEF, & EXESEC
- Category 2: Head of OSD Component (HOC) i.e., USD, ASD, ATSD and Directors
- Category 3: Deputies of all positions in Categories 1 and 2
- Category 4: Assistants to HOC including but not limited to EA, MA, and Special Assistants
- Category 5: Direct Reports to Category 2 or Category 3, including Heads of DAFA
- Category 6: Directors of Significant Program Offices (OSD/DoD-Wide Programs) Specific mission-related program offices e.g., DoD Tribal Coordinator, President Uniformed Services University Health Service (USU), President, Defense Acquisition University, etc.
- Category 7: Roles or positions that routinely and directly advise those in Categories 1-6, including special advisers, consultants, the General Counsel, and other General Counsel assigned to advise HOCs, Heads of DAFA, Chiefs of Staff, or Scientific Advisors/Special Advisors or their equivalents

g. Email Addresses

NIPR: SIPR (*If Applicable*): JWICS (*If Applicable*): Other (*If Applicable*):

| | | |
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| <p>h. The Official or proxy has ensured federal records in their possession (regardless of format, location, device, or classification) have been located and transferred to the organization's approved filing locations or to appropriate personnel. This includes, but is not limited to, review of:</p> <ul style="list-style-type: none"> • Safes, file cabinets, drawers, etc., to include home office, • Paper, hard copy photos, binders, manuscripts, • E-mail, text messages, chat messages or transcripts, • Electronically created files, spreadsheets, databases; and • Official social media posts and audio and video files. | Yes | No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | | |
|---|--------------------------|--------------------------|
| <p>i. The Official or proxy has reviewed and transferred, to the organization's approved filing locations or to appropriate personnel, all work-related content created or received on Government-Furnished Equipment (GFE) including, but not limited to, electronic messages created/received by communication tools or mobile device apps. GFE includes cellular phones, tablets, laptop computers or any other device used by the senior official in the conduct of official business.</p> | Yes | No |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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| <p>j. The Official or proxy has reviewed and transferred, to the organization's approved filing locations or to appropriate personnel, all work-related content created or received on authorized "Bring Your Own Devices" and personal devices or accounts including, but not limited to, non-governmental email, mobile devices, tablets, laptop computers or any other device or account used by the senior official in the conduct of official business.</p> | <p>Yes</p> <input type="checkbox"/> | <p>No</p> <input type="checkbox"/> |
| <p>k. The Official or proxy has segregated and safeguarded all records and information subject to litigation hold/preservation notices, claims, audits, or other actions. Check "Not Applicable" if the Official or proxy is not aware of any litigation holds/preservation notices relating to the Official's records.</p> | <p>Yes</p> <input type="checkbox"/> | <p>Not Applicable</p> <input type="checkbox"/> |
| <p>l. The Official or proxy has notified the legal staff identified in the applicable litigation hold/preservation notice of the new location of records and information in their possession, custody, or control that is responsive to/covered by a litigation hold/preservation notice. Check "Not Applicable" if there are no known litigation holds/preservation notices relating to the official's records.</p> | <p>Yes</p> <input type="checkbox"/> | <p>Not Applicable</p> <input type="checkbox"/> |

Certification:
By signing:

- I understand that all Federal records and information (regardless of format, location, or classification) which I created, received, maintained, or to which I have had access or may obtain access, will remain the property of, or under the control of, the United States Government, unless and until otherwise determined by an Authorized Official or final ruling of a court of law.
- I agree that I shall return all records and non-record copies of records and information in my possession or come into my possession, including, and not limited to text messages, electronic messages, or other electronic communications, and Federal records and information created on non-governmental email, "Bring Your Own Devices", personal devices or accounts, mobile devices, tablets, and laptop computers:
 - Upon demand by an authorized representative of the United States Government,
 - Upon the conclusion of my employment or other relationship with the Department or Agency that last granted me access or that provided me access to such Federal records or information; or
 - Upon the conclusion of any other employment or relationship that required access to Federal records and information.
- If I do not return such materials upon demand, I understand that this may be a violation of Sections 793 and/or 1924, title 18, United States Code.
- I certify under penalty of perjury, pursuant to 18 U.S. Code § 1621, to the truth and accuracy of all statements, answers, and representations made in the foregoing application, including all supplementary statements. The maximum penalty for the willful and unlawful destruction, damage, or alienation of Federal records is three years in prison (18 U.S. Code § 2071).

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| Signature of Official or Proxy: | Date Completed (YYYYMMDD): |
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| Name: | Office: |
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SECTION II: COMPONENT/DAFA RECORDS MANAGEMENT PERSONNEL AFFIRMATION

SECTION II INSTRUCTIONS:

- Identify the date of the records management exit briefing and identify the briefer.
- Exit briefings may be conducted by OSD Component/DAFA Records Manager(s) or delegated to the subordinate organizational records managers, custodians, or liaisons.

I acknowledge, by signing this form, I have briefed the above named official or proxy on their recordkeeping requirements for records in all media, including those records created or received on electronic mail systems, GFE, or authorized "Bring Your Own" or personal devices or accounts including, but not limited to, governmental and non-governmental email or other electronic messaging, text messages, audio, video and chat, cellular phones, tablets, laptop computers or any other device(s) or account(s) used by the Senior Official in the conduct of official business.

a. Records Management Exit Briefing

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|------------------------------|------------------|
| Date of Briefing (YYYYMMDD): | Name of Briefer: |
|------------------------------|------------------|

Office:

b. Signature of OSD Component/DAFA Records Manager

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| Signature: | Date (YYYYMMDD): |
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**SECTION III: REQUEST TO REMOVE PERSONAL FILES OR NON-RECORD COPIES OF OSD/DAFA RECORDS AND INFORMATION
COMPLETED BY THE SENIOR OFFICIAL OR PROXY**

SECTION III INSTRUCTIONS:

- If the Senior Official DOES NOT desire to remove personal files or non-record copies of OSD/DAFA records and information, return this form, with Section III unsigned, to the Component or DAFA RM.
Requests to Remove Personal Files: The Senior Official or proxy will provide access to the Component or DAFA RM for verification that personal files do not contain government records or non-record copies of government records. Access may be provided by:
 - Hard copy,
 - Using a secure location such as OneDrive or SharePoint Online,
 - Sending the requested files to the Component RM, DAFA RM and OSD/RM via secure email; or
 - Authorized file transfer protocol (such as DoD SAFE, <https://safe.apps.mil/>).
- Requests to remove Non-Record Copies: Limited to the equivalent of 200 pages or 500 MB (non-record copies may include, but are not limited to, DoD emails, documents, images, outlook calendars, contact lists, audio, and video files).
 - For a request to remove non-record copies exceeding 200 pages/500MB, that portion of a request above the 200 page/500MB limit must be submitted to the OSD FOIA Office (WHS/FOID) for review (<https://www.esd.whs.mil/FOID/Submit-Request/>).

Step 1: Identify the category of materials requested:

- The Senior Official or proxy will:
 - Identify and segregate all personal files and non-record copies of DoD emails, documents, images, audio, and video files into one of the following categories:
 - Personal Files. Materials belonging to the individual not used to conduct OSD business (either related solely to the official's own affairs, professional development, or used exclusively for his/her convenience). Examples include personal calendars that reflect family, medical or social events not related to official duties, as well as
 - SF-50s and training certificates, personal contact lists, thank you letters, invitations to non-official events, or
 - letters of congratulations, or letters forwarding resumes of individuals for general consideration.
 - Previously Released Materials. Unclassified information previously released to the public. Examples include
 - Press releases, briefings, speeches, pictures, and announcements.
 - Non-Record Copies: Extra copies of documents preserved only for convenience or reference. Examples include memos, correspondence, taskers, CHRON files signed by or on behalf of the official, briefings, emails, copies of official or Outlook calendars, reports, or studies pertaining to an event or topic of interest to the official.
- Note: The following non-records content are generally prohibited from release.
 - Classified National Security Information; to include "mosaic" or "compilation" classification.
 - Controlled Unclassified Information not authorized for public release.
 - Sensitive Personally Identifiable Information of third parties.
 - Information protected from release by the Freedom of Information Act, or other information.

Step 2: Submission Instructions:

- The Senior Official or proxy:
 - Completes Sections I and III of this form, then,
 - Identifies or creates a secure location, then,
 - Provides notification to:
 - Component or DAFA RM for review of Personal Files (only),
 - Appropriate OPRs and Component/DAFA Security Manager for review of Previously Released and Non-Record Copies; and
 - Approval/Denial Authority.

Certification:

By signing I consent to:

- Obtaining all approvals necessary regarding the clearance for release of personal or non-record copies government records and information.
- Complying with applicable laws, DoD policies, and regulations regarding the removal, defacing, alteration, or destruction of records and non-record copies.

Signature of Official or Proxy:

Date (YYYYMMDD):

SECTION IV: REVIEW OF REQUEST TO REMOVE PERSONAL FILES OR NON-RECORD COPIES OF OSD RECORDS AND INFORMATION

Review Process:

- Component or DAFA RM will review a request to remove personal files to ensure government information including PII not related to the requester or other sensitive information is not included.
- Component or DAFA RM may authorize personal files for release, Component or DAFA RM do not have release authority of non-record copies.
- Any non-record copies identified will be referred to the appropriate OPR.
- The OPR will review requested materials for foreseeable harm to DoD in compliance with the DOJ-OIP Foreseeable Harm Standard or superseding guidance.
- OPR will provide recommendations to the Approval/Denial Authority in accordance with Freedom of Information Act standards ensure the requested information does not contain the following:
 - Controlled Unclassified Information.
 - Sensitive Personally Identifiable Information of third parties.
 - Information protected from release by the Freedom of Information Act; or other information otherwise prohibited from release.
- After review by the OPR, the Component or DAFA RM refers the OPR's recommendation to the Approval/Denial Authority.
- Component or DAFA Security Manager will review requested materials to ensure both Classified National Security Information and Controlled Unclassified Information including "mosaic" or "compilation" classification, is removed in accordance with DoDI 5230.09 and Volume 1-3 of DoDM 5200.01.
- Approval/Denial Authority. Approval/Denial Authority will review records and recommendations made by the OPR, Security Manager or the Component/DAFA RM. A Component-specific list of positions authorized or delegated authority to coordinate are identified in DoDI 5025.01. Use this link for more information: Approval/Denial Authorities. Access requires CAC / DoD PKI certificate.

Attestation: By signing, I acknowledge, pursuant to 36 CFR 1230.12 the willful or unlawful release, removal, destruction, damage, or alienation of Federal records, documents, or information relating to the National Defense is subject to fines, penalties, or imprisonment per 18 U.S. Code § 793(f), 18 U.S.C. 641 and 18 U.S.C. 2071.

a. Review by Office of Primary Responsibility

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| Name of Reviewer: | Title: | Office: | Signature: |
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b. Recommendation by Office of Primary Responsibility:

Grant in Full Grant in Part Deny in Full

c. Review by Component or DAFA Records Manager (Personal Files and Private Correspondence only)

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|-------------------|--------|---------|------------|
| Name of Reviewer: | Title: | Office: | Signature: |
|-------------------|--------|---------|------------|

d. Recommendation by Component or DAFA Records Manager:

Approve Deny

e. Review by Component or DAFA Security Manager

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|-------------------|--------|---------|------------|
| Name of Reviewer: | Title: | Office: | Signature: |
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f. Recommendation by Component or DAFA Security Manager:

Grant in Full Grant in Part Deny in Full

SECTION V: APPROVAL/DENIAL AUTHORITY DECISION INSTRUCTIONS

- DoD Senior Officials may not approve their own request.
- The OSD Records Administrator is the Approval/Denial Authority for USDs, ASDs, ATSDs, Directors of DOD Components (i.e., CAPE, DOT&E), their Deputies, and Heads of DoD Agencies and Field Activities.
- The Approval/Denial Authority for Senior officials in categories 4-7 of Section I.f. above is available here: https://directives.whs.mil/issuance_process/Authorized_Component_Coordinators_CUI.pdf. Access requires CAC / DoD PKI certificate.
- Senior Official will sign a Non-Disclosure Agreement for Non-Record copies Granted in Full or Part.
- The Non-Disclosure Agreement (NDA) is available here: https://whs.sp.pentagon.mil/sites/ESD/RDD/RIM_for_Senior_Officials/NDA_for OSD Officials Requesting DoD Records_dtd_14_Jul_22.pdf?Web=1. Access requires CAC /DoD PKI certificate.
- The Approval/Denial Authority should consult with their Component Attorney, General Counsel, or the DoD Office of General Counsel whether the release of the requested materials will affect DoD's ability to invoke legal privileges or other rights.
- Upon decision by the Approval/Denial Authority, this form and NDA will be provided to Component or DAFA Records Manager for coordination with IT Staff.

a. Review by Component Attorney or DAFA General Counsel: (At Request of Approval/Denial Authority)

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|-------------------|--------|---------|------------|
| Name of Reviewer: | Title: | Office: | Signature: |
|-------------------|--------|---------|------------|

b. Component Attorney or DAFA General Counsel Recommendation:

Grant in Full Grant in Part Deny in Full

c. Approval/Denial Authority Decision:

Grant in Full Grant in Part Deny in Full

d. Approval/Denial Authority Reason for Denial or Partial Release:

Records Exempt from Release under FOIA, 5 U.S.C 552

B1 - Classified Information B2 - Internal Personnel Matters B3 - Information Protected by Other Statutes

B4 - Business or Trade Information B5 - Privileged Information/Deliberative Process B6 - Personal Privacy

B7 - Law Enforcement Records B8 - Financial Regulatory Records B9 - Geological and Geophysical Information

Records Exempt from Release due to Controlled Unclassified Information (CUI). The DoD CUI Registry is located at <https://www.dodcui.mil/Home/DoD-CUI-Registry/>

| | | |
|---|--|--|
| <input type="checkbox"/> Critical Infrastructure | <input type="checkbox"/> Export Control | <input type="checkbox"/> Financial |
| <input type="checkbox"/> Intelligence | <input type="checkbox"/> International Agreements | <input type="checkbox"/> Law Enforcement |
| <input type="checkbox"/> Natural and Cultural Resources | <input type="checkbox"/> North Atlantic Treaty Organization (NATO) | <input type="checkbox"/> Nuclear |
| <input type="checkbox"/> Patents | <input type="checkbox"/> Privacy | <input type="checkbox"/> Procurement and Acquisition |
| <input type="checkbox"/> Proprietary Business Information | <input type="checkbox"/> Provisional (OPSEC) | <input type="checkbox"/> Statistical |
| <input type="checkbox"/> Tax | <input type="checkbox"/> Transportation | <input type="checkbox"/> Other (specify): |

e. Approval/Denial Authority Signature

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| Name: | Title: | Signature: |
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When personnel unexpectedly depart, records management personnel assigned to the Senior Official's office will initiate the records accountability actions described in this form, immediately schedule a records management exit briefing, and complete [JSP Form 6 Investigative Search Request Form](#) to freeze the senior official's user accounts (NIPR, SIPR, JWICS or other user accounts).

SECTION I - RECORDS ACCOUNTABILITY

COMPLETED BY THE SENIOR OFFICIAL OR PROXY

- Name of Official (Last, First, Middle Initial)
 - Estimated Departure Date
 - Title or Position of Official
 - Name of OSD Component from which official is separating (do not use acronyms)
 - Name of Office/Division/Directorate from which the official is departing (do not use acronyms)
 - Select Category of Official
 - Insert email addresses
- Complete h. through l. and signed acknowledgement in accordance with the stated instructions.

SECTION II - COMPONENT/DAFA RECORDS MANAGEMENT PERSONNEL AFFIRMATION

Complete the acknowledgement that the person signing has provided an exit briefing to the above named official/official's proxy concerning the protection of Federal records and information in their possession (regardless of format, location, or classification), including the procedures to be followed in managing or transitioning records and information to appropriate personnel for retention.

SECTION III - REQUEST TO REMOVE PERSONAL FILES OR NON-RECORD COPIES OF OSD/DAFA RECORDS AND INFORMATION

Only complete this section if requesting to remove personal files or non-record copies of OSD/DAFA records and information. Complete the acknowledgement that the signing Senior Official or Proxy has completed all stated instructions to request to remove such files.

SECTION IV - REVIEW OF REQUEST TO REMOVE PERSONAL FILES OR NON-RECORD COPIES OF OSD RECORDS AND INFORMATION

- When non-records copies are requested, reviews by OPR, Information Security/Operational Security Managers and Approval/Denial Authority are mandatory.
- After OPR and Security Reviews, OSD Components/DAFAs will refer all requests made by USDs, ASDs, ATSDs, their Deputies, and Heads of DoD Agencies and Field Activities to the OSD Records Administrator.
- The Senior Official or Proxy will identify the OPR and coordinate review as follows:

- Office of Primary Responsibility (OPR).
 - The DoD element that either prepares, or is responsible for, identifying records as responsive to a FOIA request. OPRs coordinate with the office of corollary responsibility (OCR) and FOIA managers to assist the Initial denial authority in making decisions on FOIA requests.
- Security Manager.
 - Ensures personnel leaving DoD employment or service do not remove DoD records and information from DoD control, including non-record material meeting the threshold for mosaic" or "compilation" classification.
 - Ensures Classified National Security Information is not removed from government control per Executive Order 13526 or superseding order.
 - Ensures Controlled Unclassified Information is reviewed in accordance with DoDI 5230.09 and not released to the individual without approved decontrol per DoDI 5200.48.
- Recommendation by Office of Primary Responsibility:
 - OPR will review release for foreseeable harm to DoD and provide recommendation to Approval/Denial Authority in accordance with 5 U.S.C 552 (FOIA).
- Review by Component Attorney or DAFA General Counsel:
 - Review by Component Attorney or DAFA General Counsel is at the request of the Approval/Denial Authority.
 - Provides determination whether to permit departing employees to remove non-record copies, considers the extent to which such removal could affect the organization's ability to invoke any legal privileges, and considers the use of nondisclosure agreements in appropriate cases (per NARA Bulletin 2013-03).
 - Advise the Approval/Denial Authority of any potential legal risks that might arise from release.

SECTION V - APPROVAL/DENIAL AUTHORITY DECISION INSTRUCTIONS

The OSD Records Administrator is the Approval/Denial Authority for Officials in the positions of USD, ASD, ATSDs, their Deputies, and Heads of DAFAs.

- Review by Approval/Denial Authority:
 - Review records and recommendations made by OPR and Security Manager.
 - Refer to Component Attorney or DAFA General Counsel if:
 - Senior Official is identified in litigation hold or oversees functions subject to a litigation hold or pending litigation.
 - Release of requested records potentially conflicts with DoD policy, issuance, or Federal regulation.
- Approval/Denial Authority Decision:
 - Identify release decision (grant in full, grant in part, deny in full).
 - Provide reason / restrictions associated with denial in full or partial release.

ⁱ Office of the Secretary of Defense: As provided for in section 131 of title 10, United States Code, includes the Immediate Office of the Secretary and Deputy Secretary of Defense; the Under Secretaries of Defense; the GC, DoD; the Assistant Secretaries of Defense (ASDs); Assistants to the Secretary of Defense (ATSDs); the OSD Directors, and equivalents, who report directly to the Secretary or the Deputy Secretary of Defense, their staffs, and such other staff offices as the Secretary of Defense establishes within the Office of the Secretary of Defense to assist in carrying out assigned responsibilities.

ⁱⁱ Senior Officials Defined (see DoDD 5105.76):

- Presidentially appointed, Senate-confirmed Officials (PAS): Civilian officials appointed by the President, by and with the advice and consent of the Senate, to positions within the Department of Defense.
- Schedule "C": As defined in Section 6.2 of title 5, Code of Federal Regulations, positions established in the excepted service with duties of a confidential or policy determining character. Typically, Schedule C employees serve in General Schedule grades.
- Detailed Official: For the purpose of this form, a government employee of an agency or department other than the Department of Defense, who is temporarily assigned to serve in an approved billet within OSD for a specified period of time, and who is expected to return to his or her parent agency or department at the end of that period.
- Non-career SES: A member of the SES whose appointment is approved by the White House and the Office of Personnel Management and who serves at the pleasure of the appointing officer.
- Commissioned Officers: O-6 and above including General or Flag Officers, as defined in 10 USC § 101 (b)(2), (b)(4) or (b)(5), or temporarily assigned to serve in an approved billet within OSD or DAFA.

ⁱⁱⁱ Proxy Defined: Those officials with delegated authority to coordinate on DoDDs and DoDIs for their respective organizations, per DoD Instruction (DoDI) 5025.01, "DoD Issuances Program." A list of proxies is available online at http://www.esd.whs.mil/Directives/issuance_process/supporting_documents. (DoD Access: CAC / DoD PKI certificate required) This file is updated when changes in positions or authorizations occur.