

# Request for Records Disposition Authority

(See Instructions on reverse)

Leave Blank (NARA Use Only)

To: National Archives and Records Administration (NIR)  
Washington, DC 20408

Job Number NI-525-08-1

1. From: (Agency or establishment)

Date Received 4/2/08

**National Reconnaissance Office**

2. Major Subdivision

### Notification to Agency

In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

(b)(3)

3. Minor Subdivision

(b)(3)

4. Name of Person with whom to confer

5. Telephone (include area code)

Date

Archivist of the United States

(b)(3)

11-03-2008

*Paul M. Ward*

*NWM Direct*

### 6. Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 5 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies:

is not required       is attached       has been requested

Signature of Agency Representative

Title

Date (mm/dd/yyyy)

(b)(3)

(b)(3)

(b)(3)

4/15/2008

7. Item Number

of Item and Proposed Disposition

9. GRS or Superseded Job Citation

10. Action taken (NARA Use Only)

The items in this schedule apply to records regardless of medium. Information covered by permanent items may be converted to microform or to electronic format, including optical disk, without further NARA approval. Permanent microform records will be created and maintained in accordance with the standards for archival film contained in the Code of Federal Regulations. Permanent records maintained in an electronic format (whether imaged or other records material) will be created and maintained in accordance with the standards for electronic records contained in the Code of Federal Regulations and will be transferred to the National Archives in a format that meets the standards for archival records in effect at the time of transfer.

Unless otherwise specified, the transfer instructions for permanent series apply only to paper or hard copy files. When NRO establishes an electronic recordkeeping system, NARA and NRO will develop appropriate transfer instructions to cover the electronic records.

See attached for description of records that pertain to legal matters, including litigation, standards of conduct, and ethics-related files.

## Legal and Ethics Records

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**Series Description:** Records covered in this series pertain to legal matters, including litigation, standards of conduct, and ethics-related files. Records covered in this series will belong to the Office of General Counsel.

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**Item Number:** 01

**Item Title:** Legal Authorities Files

**Disposition:** Permanent. Hold in current file area 1 year before transferring to the Records Center. Transfer to the National Archives when declassified, but not later than when 20 years old.

**Authority:** N1-525-95-1

(Covers former 201-1 and 201-1-a)

**Item Description:**

Correspondence, memoranda, reports, export control, and other records relating to legal issues, legal advice and support concerning legal authorities peculiar to NRO

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**Item Number:** 02

**Item Title:** Legal Subject Files

**Disposition:** Temporary. Do not send the records to Record Center. Keep records for 3 years after closure of legal issue or case or until no longer needed and then destroy.

**Authority:** N1-525-95-1

(Covers former 201-2 and 201-2-a)

**Item Description:**

- Legal Subject Files: Correspondence, memoranda, reports, and other records relating to legal issues, legal advice, and support that pertain to matters that do not reflect NRO's distinctive mission. Examples include:
  - Security clearance adjudication
  - Freedom of Information Act (FOIA) reviews
  - Privacy Act (PA) reviews
  - Classification reviews
  - Intellectual property issues
  - Procurement
  - Routine NRO relations with CIA and DoD legal offices

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**Item Number: 03****Item Title:** Litigation Case Files**Disposition:** Permanent. Hold in current file area 1 year before transferring to the Records Center. Transfer to the National Archives when declassified, but not later than when 50 years old.**Authority:** N1-525-95-1**(Covers former 201-3, 201-3a, 201-3-a-1)****Item Description:**

Case files pertaining to litigation and potential litigation in which NRO is a party or has an interest. Specifically, these files should represent cases that reflect distinctive NRO activities, attract media or Congressional interest or are otherwise historically significant.

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**Item Number: 04****Item Title:** Ethics and Standards of Conduct Files**Disposition:** Temporary. Send the records to the Records Center after the close of the file. Destroy when 6 years old.**Authority:** N1-525-95-1**(Covers former 201-4)****(New items: GRS 25 Items 1-b, 6-a, 8-a & 8-b, 3, 9, 4)****Item Description:**

- Program Implementation Files - records maintained by ethics program offices relating to:
  - The development, review, implementation, and interpretation of proposed or established executive branch standards of ethical conduct and other ethics regulations;
  - Conflict of interest and other ethics related statutes and Executive Orders;
  - And any agency supplemental standards of ethical conduct and other agency ethics-related regulations and directives. Examples include:
    - Records documenting the review of proposed or established ethics-related statutes and regulations by ethics program officials, including copies of proposed legislation, comments, and all related records.
    - Determinations, including advice and counseling to individual employees, and supporting records.
    - Records relating to requests under agency supplementation standards of ethical conduct for prior approval of outside employment and activities.

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- **Ethics Program Review Files** - Reports, correspondence, and other records relating to Office of Government Ethics (OGE):
  - Reviews of Agency compliance with executive branch ethics laws and regulations in such areas as financial disclosure, education and training, and advice and counseling.
  - Program review reports, agency 60-day response letters, and other follow-up records sent to OGE on the resolution of program deficiencies.
- **Ethics Program Questionnaire Files** - Questionnaires completed by ethics officials and other responses completed on annual basis in compliance with Section 402(e)(1) of the Ethics in Government Act of 1978, as amended, and associated records.
- **Ethics Training Files** - All records relating to the administration of the following types of training:
  - New employee ethics orientations,
  - Annual ethics training
  - Other types of ethics training and education.
  - And other records such as:
    - Annual plans, schedules of classes, rosters of employees required to attend, verification of training completion and other related records
    - Instructors' guides, handbooks, handouts, and other materials used in training classes, bulletins, and newsletters.
- **Ethics Agreement Files**. Records documenting the review and issuance of ethics agreements used to remedy the appearance of potential or actual financial conflicts of interesting including:
  - Records relating to the review and issuance and recusals (disqualifications), resignations, reassignments, and divestitures.
  - Records relating to determinations, authorizations, and waivers under 5 C.F.R. "2635.502 and 2635.503".
  - Records relating to the review and issuance of waivers of disqualifications under 18 U.S.C. '208 (b)(1) and (b)(3).
- **Ethics Program Procedures Files** - Procedures and related supporting records on the administration of ethics programs including but not limited to, public and confidential financial disclosure reports systems, outside employment and activities approval systems, and referrals of violations of criminal conflict of interest statutes.
- **Referrals and Notification of Violations of Criminal Conflict of Interest Statutes Files** - Referrals concerning ethics violations or suspected violations made to OGC and the Office of Inspector General or the Department of Justice and notifications, including copies of disciplinary

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and corrective actions and disposition documents such as declinations of prosecution.

- Included are forms and papers relating to former employees who accept positions with contractors Department of Defense (DD) Form 1787 or equivalent, financial interest disclosure Standard Forms (SF) 450, SF 278, or equivalent, and forms submitted by contractors in accordance with 10 U.S.C. 23970.
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Redactions have been made to this record control schedule pursuant to 5 U.S.C. 552(b)(3) with the corresponding statute 10 U.S.C. 424, which protects from disclosure the "organization or any function of, and certain information pertaining to, employees of the National Reconnaissance Office ." You will need to submit a Freedom of Information Act (FOIA) request to the Office of the General Counsel for the withheld information.

<http://www.archives.gov/foia/>