

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-468-00-001

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 12/2/2021

## **ACTIVE ITEMS**

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

Item 3E, Draft Legislation Files

Item 4 A-D, OIG Administrative Records

## **SUPERSEDED AND OBSOLETE ITEMS**

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

DAA-0468-2013-0008 supersedes 3F, 3G, and 4E.

DAA-0468-2013-0010 and DAA-468-2013-0012 supersedes items 2A and B.

DAA-0468-2013-0011 supersedes item 3A-D.

DAA-0468-2013-0011-0003 supersedes 3D for legal opinions.

DAA-0468-20 13-0011-0006 supesedes 3D for Significant Legal Case Files.

DAA-0468-2013-0013 supersedes items 1A and B.

DAA-GRS-2016-0016-0002 supersedes 1C, 2C, 3H, and 4F.

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

**REQUEST FOR RECORDS DISPOSITION AUTHORITY**  
(See Instructions on reverse)

AVE BLANK (NARA use only)

JOB NUMBER  
71-468-00-1

DATE RECEIVED  
5-23-00

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE  
5/14/2001

ARCHIVIST OF THE UNITED STATES  
Jess Bellardo  
for John Carter

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)  
WASHINGTON, DC 20408

1. FROM (Agency or establishment)  
Department of Health and Human Services

2. MAJOR SUBDIVISION  
Office of Inspector General

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER  
M. Elaine Faison

5. TELEPHONE  
(202) 619-3978

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 \_\_\_ 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; or  has been requested.

DATE 02/24/00	SIGNATURE OF AGENCY REPRESENTATIVE <i>A. Prentice Barnes, Jr.</i> A. Prentice Barnes	TITLE Departmental Records Officer
------------------	--	---------------------------------------

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1.	Investigative Case Files (See attached outline)	GRS - 22	
2.	Audit and Evaluation Case Files (See attached outline)	GRS - 22	
3.	Legal Counsel Case Files (See attached outline)		
4.	OIG Administrative Records (See attached outline)		
<p>NOTE#1 HHS is responsible for the storage and migration of electronic data with a long-term retention (see item 1). For additional guidance see CFR 1234.30.</p> <p>Timothy M. White: <i>Timothy M. White</i> 02/16/2000 Associate General Counsel</p> <p>Ross Cirrincione: <i>Ross Cirrincione</i> 5/23/00 Dir., FOI/Privacy Act</p> <p>NOTE#2 This schedule provides for continuing disposition authority for Dept. of Health and Human Services records which are stored in the FRCs, WNRC, and in the agency.</p>			

Department of Health and Human Services

OFFICE OF INSPECTOR GENERAL  
RECORDS SCHEDULE

**Disposal Authority: N1-468-00-1**  
**May 14, 2001**

**1. Investigative Case Files**

a. Investigations of Alleged Fraud, Abuse and Irregularities or Violations of Laws and Regulations

Case files developed during investigations of known or alleged fraud, abuse, and irregularities or violations of laws and regulations. Cases relate to HHS personnel, programs, and operations administered or financed by the HHS, including contractors and others having a relationship with the HHS. This includes investigative files relating to employee and OIG Hotline complaints and other miscellaneous complaint files. Files consist of investigative reports and related documents, such as correspondence, notes, attachments, background and working files, and related electronic records systems such as tracking data bases.

(1) Case files that document violations of criminal law or ethical standards by agency officials or others that may result in the establishment of a formal case file.

Disposition

Cut off at end of fiscal year in which case is closed and transfer to the Washington National Records Center. Destroy 15 years after cutoff.

**NOTE:** Significant cases, i.e., those that result in national media attention, Congressional investigation, or results in substantive changes in agency policies and procedures. HHS/OIG will bring any of these cases to the attention of NARA for appraisal on a case by case basis.

(2) All other investigative case files not covered by item 1 above.

Disposition

Cut off at end of fiscal year in which case is closed and transfer to the Washington National Records Center or regional records center. Destroy 10 years after cutoff.

b. Allegations Not Resulting in Formal Case File

Files containing information or allegations of an investigative nature that do not result in the establishment of a formal case file. The files cover anonymous or vague allegations not warranting an investigation, matters referred to other agencies for handling, and support files providing general information which may prove useful in Inspector General investigations.

Disposition

Cut off annually and transfer to the Washington National Records Center or regional records center. Destroy 5 years after closing.

c. Electronic Mail and Word Processing Records.

Electronic copies of records that are created on electronic mail and word processing systems and used solely to generate a record keeping copy of the records covered by this item. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

- (1) Copies of records covered by sub-items a and b that have no further administrative value after the record keeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the record keeping copy.

Disposition

Destroy/delete within 180 days after the record keeping copy has been produced.

- (2) Copies used for dissemination, revision, or updating that are maintained in addition to the record keeping copy.

Disposition

Destroy/delete when dissemination, revision, or updating is completed.

**2. Audit and Evaluation Case Files**

Case files of internal audits of agency programs, operations, and procedures, and of external audits of contractors and grantees; and for recurring program evaluations that assist management in identifying, analyzing and resolving program and organizational

performance or policy issues, studies of areas of specific concern, and internally generated study initiatives designed to achieve organizational improvement. Included are related electronic records systems, such as tracking data bases. During the course of an audit or evaluation, working papers (which can include survey questionnaires, rough draft proposals and correspondence) are used to prepare the final recommendations and report. The audit or inspection staff prepares a concise final report which is incorporated, along with the work files, into the case file on completion of each audit/evaluation/study/initiative.

a. Final Reports, with Supporting Working Papers

Disposition

Cut off at end of fiscal year in which case is closed and transfer to the Washington National Records Center or regional records center. Destroy 8 years after cut off.

b. Records Created or Acquired During the Course of the Audit or Evaluation, and the Development of the Final Report, Including Correspondence, Notes and Related Work Files.

Disposition

Destroy 5 years after the end of the fiscal year in which the final report is issued.

c. Electronic Mail and Word Processing Records.

Electronic copies of records that are created on electronic mail and word processing systems and used solely to generate a record keeping copy of the records covered by this item. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

- (1) Copies of records covered by sub-items a and b have no further administrative value after the record keeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the record keeping copy.

Disposition

Destroy/delete within 180 days after the record keeping copy has been produced.

- (2) Copies used for dissemination, revision, or updating that are maintained in addition to the record keeping copy.

Disposition

Destroy/delete when dissemination, revision, or updating is completed.

**3. Legal Counsel Case Files**

a. Legal Advice Files

The Office of Counsel to the Inspector General (OCIG) case files relate to imposition of administrative sanctions, negotiations, settlement agreements, corporate integrity agreements, compliance plans, model compliance guidance, voluntary disclosures, advisory opinions, fraud alerts, safe harbors, non-precedential legal opinions, draft regulations, proposed regulations, legal monographs, legal updates, subpoenas, exclusions, negotiated rule makings and similar activities. Legal staff generate working documents, correspondence, notes, fact sheets, legal briefs, legal memoranda, subpoenas, issue papers and similar documents.

Disposition

Cut off at the end of fiscal year in which case is closed or issue resolved and transfer to the Washington National Records Center. Destroy after 10 years.

b. Litigation Case Files

Files that consist of court pleadings, correspondence, memorandums, studies, appraisals, court decisions, and similar documents. These files accumulate in various branches of OCIG and relate to primary program areas of HHS or litigation involving employees of HHS.

Disposition

(1) Cases determined to have precedential value for other litigation cases, transfer to Washington National Records Center 2 years after termination of case or when volume warrants. Destroy 20 years after termination of case.

**NOTE:** HHS-OIG will bring any historically significant files to the attention of the National Archives and Records Administration for appraisal on a case by case basis.

(2) All other cases after litigation is terminated, retain case file as long as administratively useful or for 2 years, whichever is earlier. Transfer to

Washington National Records Center. Destroy 5 years after termination.  
c. Administrative Hearing Case Files

Case files accumulated in various branches of the OCIG to document hearings and appeals within HHS. Included in these files are letters of deferrals, hearing transcripts, legal briefs, and affidavits, trial exhibits, initial decisions of the administrative law judge, appeals to the Secretary, Secretarial dispositions, and related materials. If these files exist as a separate set of records, the following disposition instructions apply. If the essential hearings documents are filed in the related case file, the disposition instructions for the case file apply.

Disposition

Destroy 5 years after complete termination of case.

d. Legal Opinion Precedent Files

Precedential legal opinions issued by the OCIG for application to programs throughout HHS. Included are legal opinions, directly related memorandums, copies of laws, and related documents.

Disposition

PERMANENT. Cut off at the close of fiscal year and transfer to Washington National Records Center 2 years thereafter. Transfer to NARA with related indexes 20 years after cut off.

e. Draft Legislation Files

Case files accumulated in the OIG on the development of (HHS and non-HHS) legislation proposed for presentation to Congress. Included are internal memorandums, documentation on the complete legislative history, HHS positions, enrolled bill reports and related correspondence.

Disposition

Cut off at the end of the congressional session (2 years). Transfer to the Washington National Records Center 2 years later. Destroy 20 years after close of a file.

f. Testimonies and Statements

Testimonies and statements of OIG officials before congressional committees. In many cases, the testimonies are published in congressional reports. Files may relate to

"oversight hearings" in which no specific bill is involved or to hearings on specific bills.

Disposition

- (1) If filed as a separate series. Destroy 2 years after the end of the Presidential term of office, or when no longer needed for administrative purposes whichever is earlier.
- (2) If filed in a correspondence or case file. Destroy in accordance with the disposition instruction of that file.
- (3) Reference copies maintained for public affairs purposes. Destroy after 2 years or when no longer needed for administrative purposes, whichever is earlier.

g. OIG Regulations

- (1) Copies of OIG regulations and supporting background materials pertaining to regulations that are published in the Federal Register.

Disposition

Destroy 10 years after superseded, or when no longer needed for administrative purposes, whichever is later.

- (2) Records of Negotiated Rule Makings

Disposition

Destroy 10 years after superseded, or when no longer needed for administrative purposes, whichever is later.

h. Electronic Mail and Word Processing Records

Electronic copies of the records that are created on electronic mail and word processing systems and used solely to generate a record keeping copy of the records covered by this item. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

- (1) Copies of records covered by sub-items a through g that have no further administrative value after the record keeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on disk or network drives, and copies on shared network drives that are used only to produce the record keeping copy.



Disposition

Destroy/delete within 180 days after the record keeping copy has been produced.

(2) Copies used for dissemination, revision, or updating that are maintained in addition to the record keeping copy.

Disposition

Destroy/delete when dissemination, revision, or updating is completed.

**4. OIG Administrative Records**

Records retained by an originating component as its documentation of initiation of an action, request or response to requests for information.

a. General

Records accumulated by an individual office that relate to the internal administration or housekeeping activities of the office, rather than the functions for which the office exists. In general, these records relate to the office organization, staffing, procedures, and communications; correspondence related to the expenditure of funds, including budget records; day-to-day administration of office personnel including training and travel; supplies and office services and equipment requests and receipts; and the use of office space and utilities. This includes related electronic records systems, such as tracking data bases. They may also include copies of internal activity and workload reports (including work progress, statistical, and narrative reports prepared in the office and forwarded to higher levels) and other materials that **do not** serve as unique documentation of the programs of the office.

Disposition

Destroy when 2 years old, or when no longer needed, whichever is sooner.

b. Organizational Documentation

Record copies of organizational charts, functional statements and other materials which document the organizational structure and policies, reports mandated by the IG Act and other congressionally mandated reports and related records that document the essential organization, and procedures of the office.

Disposition

PERMANENT: Place in inactive file when directive is rescinded, superseded, or obsolete. Hold 5 years, then transfer to NARA.

c. Speech File

Speeches given in official capacity by the Inspector General and other OIG officials are arranged in order by date of speech.

Disposition

Record set--PERMANENT. Cut off at close of the FY; hold for 5 years or until volume warrants and offer to NARA.

d. Biographies File

Files contain reference copies of personal data sketches, photographs, press releases, and similar materials pertaining to the Inspector General and other principal officials of the OIG.

Disposition

Cut off at close of fiscal year in which individual leaves the Office of Inspector General. Destroy 5 years after cut off.

e. Congressional Correspondence Files

Correspondence files which relate to liaison with Members of Congress. Arranged by name of Representative or Senator.

Disposition

Review files at end of 2 years. Destroy files which are no longer needed. Transfer other files to the Washington National Records Center with correspondence files and destroy in accordance with disposition instruction for that file.

f. Electronic Mail and Word Processing Records

Electronic copies of the records that are created on electronic mail and word processing systems and used solely to generate a record keeping copy of the records covered by this item. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revising, or dissemination.

(1) Copies of records covered by sub-items a through e that have no further administrative value after the record keeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on disk or network drives, and copies on shared network drives that are used only to produce the record keeping copy.

Disposition

Destroy/delete within 180 days after the record keeping copy has been produced.

(2) Copies used for dissemination, revision, or updating that are maintained in addition to the record keeping copy.

Disposition

Destroy/delete when dissemination, revision, or updating is complete.

*Modifications to schedule items 2a, 3d, 3g, 4b, and 4d  
approved by Lalaine Faison on 11/26/00 per tel/con.  
Jackie Mitty*

*Modifications to schedule items 1A1 and 4C approved  
by Lalaine Faison on 2/22/01  
Jackie Mitty*