

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER N1-566-08-11	
TO: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <u>3/30/09</u>	
1 FROM (Agency or establishment) Department of Homeland Security (DHS)		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION U.S. Citizenship and Immigration Services (USCIS)			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER Carol Clark	5 TELEPHONE NUMBER 612-467-7420	DATE <u>4-9-09</u>	ARCHIVIST OF THE UNITED STATES <i>Adrienne Thomas</i>
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 <u>2</u> page(s) are not needed now for the business for 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, <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested			
DATE <u>3/27/09</u>	SIGNATURE OF AGENCY REPRESENTATIVE <i>D. P. Gentle</i>		TITLE Chief, Records Division
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	Alien Files (A-Files) April 1, 1944 to Present A series of records consisting of numbered files prefixed with an "A" used to document the complete history of interaction with an alien as prescribed by the Immigration and Nationality Act, prior laws, and other regulations. The records consist of various forms, correspondence and pre-existing files related to or supplied by the individual and/or documentation supporting action considered by USCIS or its predecessor agencies. <ul style="list-style-type: none"> • Prior to April 1, 1944, the agency maintained a variety of record systems created in response to legislative requirements (Chinese Exclusion Act case files 1882-1943, Bureau of Naturalization Correspondence Files 1906-1946, Visa Files 1924-1944, Registry Files 1929-1944, Reentry Permits 1924-1944, Alien Registration Forms AR2 1940-1944, and others) • The A-Files series opened April 1, 1944 and until March 31, 1956 became the single depository for all records of all arriving aliens and all alien cases/actions except naturalization. Older records on a given alien were pulled from the pre-1944 series and consolidated into A-Files as cases arose. Upon naturalization, the A-File was consolidated with the C-File. 	NC1-85-80-5/1	

- Since April 1, 1956 A-Files contain all records on an individual alien up to and including naturalization and/or subsequent actions

Consolidation of all pre-existing files relating to one individual into one A-File continued and remains USCIS policy During the late 20th century the agency continued to transfer records from prior series to the A-File series on a case by case basis, as required, though the practice declined as the relevant immigrant population aged By the late 20th century most consolidation involved reconciling two existing A-Files relating to the same individual

Consolidated files may result in the following conditions at the National Archives

- Records seemingly "missing" from prior series, such as the Chinese Exclusion Act Case Files, Visa Files, Registry Files, or other series because the pre-1944 file was consolidated into an A-File after 1944
- Records surviving in consolidated A-Files that are otherwise unavailable, such as a Reentry Permit consolidated with an A-File or C-File prior to the disposal of the Reentry Permit file series
- A-numbers for immigrants who naturalized between April 1, 1944 and March 31, 1956 for whom there is no A-File (all their records are in a consolidated C-File)

Depending on the time period, A-Files are maintained in two different formats, paper and digital imagery

This schedule applies to all formats and media in which the A-Files are created and maintained by DHS/USCIS, including paper and electronic

Transfer to the National Archives

The Archivist of the United States is authorized by 44 U S C § 2107 to accept for deposit with the National Archives, the records of a Federal agency determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the U S Government

1. A-Files (paper and electronic)

PERMANENT. In 2009 transfer to the National Archives files of individuals born in 1909 or earlier In 2010, transfer to the National Archives files of individuals born in 1910 or earlier Beginning in 2015 and every 5 years thereafter, transfer to the National Archives files of individuals born 100 years earlier For example In 2015, transfer to the National Archives files of individuals born between 1910 and 1915

Paper A-Files located in the San Bruno, CA Federal Records Center (FRC) will be accessioned into the holdings of the National Archives Pacific Region in San Bruno, CA

Exceptions, Conditions, and Special Disposition Provisions

Responsibility for the A-Files. The National Archives will assume responsibility for the preservation, reference, and maintenance of the files upon transfer of ownership

Transfer of electronic A-Files. At the time of legal transfer of ownership, the National Archives and USCIS shall determine the medium and format in which electronic A-Files will be transferred

Recall of A-Files owned by the National Archives. For official purposes A-Files owned by the National Archives may be recalled by USCIS. Such records may not be reformatted and must be returned to the National Archives in their original state. The National Archives will ensure that when such records are loaned or transferred, the record will be covered with a specific notice specifying the original document retention/return requirements

Protection of Privacy. All A-Files are subject to the provisions of the Privacy Act and Freedom of Information Act. After ownership of all records is transferred to the National Archives of the United States, they continue to be subject to the Freedom of Information Act, Privacy Act, and will be subject to the National Archives General Restrictions (36 CFR § 1202.60) and any restrictions stated on the SF 258 (Agreement to Transfer Records to the National Archives of the United States). Adherence to the USCIS Privacy Notice as set forth in DHS system of records notice is mandatory.

Exemption to the Privacy Act: 552a(b)(3). The Secretary of Homeland Security has exempted this series of records from subsections (c) (3) and (4), (d), (e), (1) (2), and (3), (e), (4), (g), and (h), (e), (5) and (8) and (g) of the Privacy Act. The exemptions apply only to the extent that records are subject to exemption pursuant to 5 U.S.C. 552a(j)(2) and (k)(2). The Department of Homeland Security has published implementing regulations in accordance with the requirements of 5 U.S.C. 553(b), (c) and (e) and these have been published in the *Federal Register* and can be found at 6 CFR Appendix C to Part 5