

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: **DAA-0567-2016-0009**

Request for Records Disposition Authority

Records Schedule Number **DAA-0567-2016-0009**
Schedule Status **Returned Without Action**

Agency or Establishment **Immigration and Customs Enforcement**
Record Group / Scheduling Group **Records of the Bureau of Immigration and Customs Enforcement**
Records Schedule applies to **Major Subdivision**
Major Subdivision **Office of Principal Legal Advisor (OPLA)**
Schedule Subject **Electronic Discovery Software System (EDSS)**
Internal agency concurrences will be provided **No**

Background Information **The Electronic Discovery Software System (EDSS) is used to process, index, search, review, redact, and produce electronically stored information (ESI) in response to litigation and/or investigations and in doing so, comply with the Federal Rules of Civil Procedure (FRCP) in the production and dissemination of ESI. EDSS is a Server-Based application that is hosted at the Potomac Center North (PCN). The software is a COTS (Commercial Off-the-Shelf) product developed by Clearwell, now called Veritas. The developer is Veritas. The system is used by the Office of the Principal Legal Advisor (OPLA).**

The application is also used to automate and track the distribution of Preservation Notices and thereby create a legally defensible process for the distribution of Preservation Notices that are sent out informing recipients of their legal obligation to preserve any potentially relevant ESI that pertains to the litigation/investigation for which the Notice is being sent out. E-discovery software does redaction on all types of documents.

EDSS has various capabilities that serve to streamline and automate the document reviews conducted by ICE attorneys. EDSS ingests and analyzes information in various data formats (e.g., Microsoft Word and Microsoft Excel), allowing document analysis in bulk within a single data file and using a single integrated viewer that does not require use of the original application that created the file/Record. This system basically maintains “convenient copies” of records stored in other systems

Item Count

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Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
0	0	0	2

GAO Approval

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Outline of Records Schedule Items for DAA-0567-2016-0009

Sequence Number	
1	Master File/Electronic Data - Civil Litigation and Administrative Claims Filed Disposition Authority Number: DAA-0567-2016-0009-0001
2	Master File/Electronic Data - Civil Litigation and Administrative Claims Not Filed Disposition Authority Number: DAA-0567-2016-0009-0002

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Records Schedule Items

Sequence Number											
1	<p data-bbox="365 414 1520 446">Master File/Electronic Data - Civil Litigation and Administrative Claims Filed</p> <p data-bbox="365 457 1520 500">Disposition Authority Number DAA-0567-2016-0009-0001</p> <p data-bbox="365 510 1520 1404">EDSS serves to streamline and automate the collection, review, redaction, and production of agency records conducted by ICE attorneys to comply with discovery requirements during litigation and to respond to Freedom of Information Act/Privacy Act (FOIA/PA) requests for ICE records. Discoverable records in EDSS include, but are not limited to: ICE electronic mail messages, training presentations, law enforcement data, passport and driver's license identification information (including biometric data), criminal records, court documents (Notices to Appear (NTAs) or Record of Deportable Alien (I-213s)), letters, memoranda, drafts, and receipts. Any information that is potentially relevant to the matter may be collected and maintained in EDSS for discovery purposes. The ESI and hardcopy records stored and processed in EDSS may contain information pertinent to any matter in the scope of DHS or ICE's mission a. Electronic Mail: Messages among ICE employees or among ICE employees and personnel of other federal agencies or outside entities, sometimes with other documents attached. b. Presentations: Documents such as PowerPoint presentations used for training purposes. c. Spreadsheets: Data collections, often including PII and sensitive law enforcement data, used to track the progress or investigations or focus investigative priorities. d. Database entries: Information collected or compiled from law enforcement or other agency databases. e. Identification documents: Passports, identification cards, driver's licenses, and documents with biometric information including but not limited to photographs and fingerprint cards. f. Legal documents: Criminal records, court documents such as Notices to Appear (NTAs), and I-213s (Record of Deportable Alien). g. Miscellaneous: Letters, memoranda, drafts, and receipts</p> <table data-bbox="365 1415 1520 1819"><tr><td data-bbox="365 1415 747 1457">Final Disposition</td><td data-bbox="747 1415 1520 1457">Temporary</td></tr><tr><td data-bbox="365 1468 747 1510">Item Status</td><td data-bbox="747 1468 1520 1510">Withdrawn</td></tr><tr><td data-bbox="365 1521 747 1564">Is this item media neutral?</td><td data-bbox="747 1521 1520 1564">Yes</td></tr><tr><td data-bbox="365 1574 747 1713">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?</td><td data-bbox="747 1574 1520 1713">Yes</td></tr><tr><td data-bbox="365 1723 747 1819">Do any of the records covered by this item exist as structured electronic data?</td><td data-bbox="747 1723 1520 1819">Yes</td></tr></table> <p data-bbox="365 1840 1520 1896">Disposition Instruction</p>	Final Disposition	Temporary	Item Status	Withdrawn	Is this item media neutral?	Yes	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes	Do any of the records covered by this item exist as structured electronic data?	Yes
Final Disposition	Temporary										
Item Status	Withdrawn										
Is this item media neutral?	Yes										
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes										
Do any of the records covered by this item exist as structured electronic data?	Yes										

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Cutoff Instruction	Upon Final Resolution of the Case - For civil litigation, final resolution of the case means an administrative settlement of the claim or case, a dismissal with prejudice of all claims arising from the same subject matter, a final judgment on the case or claim, and the exhaustion of appeals, whichever comes later
Retention Period	Destroy when no longer needed
Additional Information	
GAO Approval	Not Required
Master File/Electronic Data -	Civil Litigation and Administrative Claims Not Filed
Disposition Authority Number	DAA-0567-2016-0009-0002
EDSS Cases: EDSS serves to streamline and automate the collection, review, redaction, and production of agency records conducted by ICE attorneys to comply with discovery requirements during litigation and to respond to Freedom of Information Act/Privacy Act (FOIA/PA) requests for ICE records. Discoverable records in EDSS include, but are not limited to: ICE electronic mail messages, training presentations, law enforcement data, passport and driver's license identification information (including biometric data), criminal records, court documents (Notices to Appear (NTAs) or Record of Deportable Alien (I-213s)), letters, memoranda, drafts, and receipts. Any information that is potentially relevant to the matter may be collected and maintained in EDSS for discovery purposes. The ESI and hardcopy records stored and processed in EDSS may contain information pertinent to any matter in the scope of DHS or ICE's mission: Contains but is not limited to: a. Electronic Mail: Messages among ICE employees or among ICE employees and personnel of other federal agencies or outside entities, sometimes with other documents attached. b. Presentations: Documents such as PowerPoint presentations used for training purposes. c. Spreadsheets: Data collections, often including PII and sensitive law enforcement data, used to track the progress or investigations or focus investigative priorities. d. Database entries: Information collected or compiled from law enforcement or other agency databases. e. Identification documents: Passports, identification cards, driver's licenses, and documents with biometric information including but not limited to photographs and fingerprint cards. f. Legal documents: Criminal records, court documents such as Notices to Appear (NTAs), and I-213s (Record of Deportable Alien). g. Miscellaneous: Letters, memoranda, drafts, and receipts	
Final Disposition	Temporary
Item Status	Withdrawn
Is this item media neutral?	Yes
Do any of the records covered by this item currently exist in	Yes

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electronic format(s) other than e-mail and word processing?

Do any of the records covered by this item exist as structured electronic data?

Yes

Disposition Instruction

Cutoff Instruction

At the date statute of limitations expire for claim type

Retention Period

Destroy immediately after there is no longer a need for searching and producing data.

Additional Information

GAO Approval

Not Required

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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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
11/16/2016	Certify	Dawn Boswell	Records Officer	OAS - Privacy and Records
12/08/2016	Return Without Action	Ashby Crowder	Archives Specialist	National Archives and Records Administration - ACRA