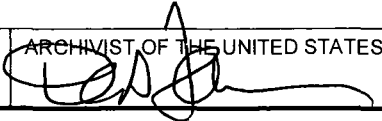
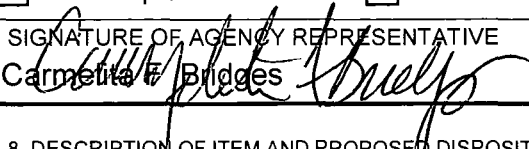


| | | | |
|--|--|--|---|
| REQUEST FOR RECORDS DISPOSITION AUTHORITY | | LEAVE BLANK (NARA use only) | |
| To NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001 | | JOB NUMBER <u>M1-207-10-2</u> | |
| 1 FROM (Agency or establishment) U S Dept of Housing and Urban Development | | Date Received <u>5/13/2010</u> | |
| 2 MAJOR SUB DIVISION Office of General Counsel | | NOTIFICATION TO AGENCY | |
| 3 MINOR SUBDIVISION | | 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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10 | |
| 4 NAME OF PERSON WITH WHOM TO CONFER Carmelita F Bridges | 5 TELEPHONE 202 402 7374 | DATE <u>14 JUN 11</u> | ARCHIVIST OF THE UNITED STATES  |
| 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>22</u> page(s) are not needed now 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, <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested | | | |
| DATE 7/27/09 | SIGNATURE OF AGENCY REPRESENTATIVE  | | 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| 7 ITEM NO | 8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION | 9 GRS OR SUPERSEDED JOB CITATION | 10 ACTION TAKEN (NARA USE ONLY) |
| | See attached sheets | | |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

This schedule provides disposition instructions for those records relating to the legal functions of the Department. Legal functions are the main responsibility of the Office of General Counsel, and the HUD Office of Hearings and Appeals, which includes the Office of the Administrative Law Judges. The Office of General Counsel provides legal advice, opinions and services regarding all programs, policies and activities of the Department. The Office of the Administrative Law Judges issues decisions in administrative appeal areas where the right to a hearing is granted by statute or agreement.¹

This schedule covers legal records kept in Field Offices as well as in Headquarters. Some HUD offices other than those listed above may also have records relating to a legal activity and those records are also covered by this schedule. The schedule also covers legal records created by HUD's predecessor agencies.

As legal records may be maintained in different media formats, this schedule is written to authorize the disposition of the records in any media (media neutral). Records that are designated for permanent retention and are created and maintained electronically will be transferred to NARA in an approved electronic format. Unless otherwise specified, records descriptions (including terms such as "record copy," "record/records," "comment/comments," "copy/copies," "note/notes," "draft/drafts," "working papers," "background materials," "document/documents," "correspondence," etc.) as used in this schedule, are media neutral and may consist of either a printed copy or a copy saved electronically to external media such as a CD-ROM.

| Item No. | Description of Records | Disposition |
|-----------------|--|--------------------|
| 1 | Proposed and final rules and notices Consists of material published in the Federal Register. Final rules have the effect of law and are codified in the Code of Federal Regulations (CFR). Rules are also known as regulations. | |
| A | Case History Files. Official record copy. Includes drafts showing development of rule or notice, clearance records, public comments, signed documents. Case history files from 1970 to present are maintained in | |

¹ If new legal functions are assumed by the Department, this schedule may be amended to cover the disposition of records related to these additional functions.

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | Headquarters Office of General Counsel Case history files prior to 1970 are maintained in originating program offices | |
| (1) | Public Docket Files Consist of public comments received on proposed rules, environmental impact findings, inflationary impact findings, or findings on need for regulatory analysis, and signed copies of the proposed and final rules in the same form as sent to the Federal Register for publication | Temporary Close file after the final rules become effective and place in inactive file Retire to Federal Records Center 3 years after close of file or when volume warrants Destroy 20 years after close of file NARA Job NC1-207-79-11, item 1 A (1) |
| (2) | Internal Files Consist of copies of proposed and final rules as sent through internal clearance process, clearance records, significant working papers, studies, reports, and other materials, internal HUD comments on the proposed and final rules, and notes from internal HUD meetings held to discuss the proposed or final rules | Temporary Close file after the final rules become effective and place in inactive file Retire to Federal Record Center 3 years after close of file or when volume warrants Destroy 10 years after close of file NARA Job NC1-207-79-11, item 1 A (2) |
| (3) | General Notice Files Also called N-series docket files Consist of copies of general notices as sent through clearance process, clearance records, internal HUD comments on general notices and signed copies of general notices in the same form as sent to the Federal Register for publication Includes notices of delegation of authority | Temporary Close file after notice published in the Federal Register and place in inactive file Retire to Federal Records Center 3 years after close of file or when volume warrants Destroy 5 years after close of file NARA Job NC1-207-79-11, item 1 A (3) |
| B | Working papers and background material not significant enough to be a part of the case history files | Temporary Cut off files at the end of the fiscal year in which the final regulation or |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | | notice has become effective Destroy 6 months after file cut off NARA Job NC1- 207-79-11, item 1 B |
| C | Extra copies of the clearance package for the regulation or notice which are distributed for concurrent clearances Includes the comments given to clearance point for preparation of a consolidated response Does not include those parts of the package and responses which become part of the case history file | Temporary Cut off files annually Destroy 3 years after file cut off or when no longer needed for reference, whichever is earlier NARA Job NC1-207-79-11, item 1 C |
| D | Printed Code of Federal Regulations (CFR) volumes Title 24 CFR contains Housing and Urban Development regulations Each volume of the CFR is revised at least once each calendar year Title 24 CFR is updated as of April 1 each year | Temporary Cut off files at the end of the fiscal year in which the later revised CFR volume is received Destroy when file is cut off or when no longer needed for reference, whichever is earlier NARA Job NC1-207-79-11, item 1 D |
| E | Printed daily issues of the Federal Register The CFR is kept up-to-date by the individual issues of the Federal Register The two publications must be used together to determine the latest version of any given rule A revised CFR volume incorporates the final regulations on the same subject area which were published in the Federal Register since the last revision of that CFR volume Title 24 of the CFR revised as of April 1, 1979, will contain all final Housing and Urban Development regulations published in the Federal Register since April 1, 1978 | |
| (1) | Issues containing notices or proposed or final regulations related to the same subject area as the CFR volumes being | Temporary Cut off files annually Keep issues printed since the revision |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records maintained | Disposition |
|-----------------|--|--|
| | (2) All other issues (Instructions Destroy after review and finding that the issue does not contain any notices of proposed or final regulations related to the same subject area as the CFR volumes being maintained) | date of the current CFR volume is received Destroy all issues of the daily Federal Register printed before the revision date of the CFR volume NARA Job NC1-207-79-11, item 1 E (1) Temporary Cut off files annually Destroy files after cut off NARA Job NC1-207-79-11, item 1 E (2) |
| F | Printed or processed copies of individual proposed or final regulations or notices as published in the Federal Register | Temporary Cut off files annually Destroy when rescinded, superseded, obsolete or no longer needed for reference NARA Job NC1-207-79-11, item 1 F |
| 2 | Delegation of Authority Files Includes redelegations and revocations or withdrawals of authority | |
| A | Each separate delegation (1) Record copy of delegations published in the Federal Register Includes background material and record of concurrences or clearances These files are kept by the Headquarters Office of General Counsel as part of the general notice files (see item 1 A (3) of this schedule | PERMANENT Close file after notice published in the Federal Register and place in inactive file Offer to NARA when 12 years old Agency will maintain & transfer electronic records according to NARA transfer guidance and regulations Supersedes NARA Job NC1-207-79-11, item 2 A (1) |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|---|---|
| | (2) Record copy of delegations not published in the Federal Register Includes background material These files are kept by the originating office | Temporary Cut off files annually Destroy when superseded, obsolete or no longer needed for reference NARA Job NC1-207-79-11, item 2 A (2) |
| | (3) All other copies | Temporary Cut off files annually Destroy when superseded, obsolete or no longer needed for reference NARA Job NC1-207-79-11, item 2 A (3) |
| B | Printed book of current delegations Compiled by Headquarters Office of General Counsel This book is distributed to certain Headquarters and Field Offices It is updated quarterly | |
| | (1) Master set kept by the Headquarters Office of General Counsel unit which compiles the book | |
| | (a) Delegations published in the Federal Register | Temporary Cut off files annually Destroy when superseded or obsolete NARA Job NCI-207-79-11, item 2 B (1)(a) |
| | (b) Unpublished delegations | Temporary Cut off files annually Place superseded or rescinded delegations in inactive file Destroy 6 years after end of calendar year in which delegation is superseded or rescinded NARA Job NC1-207-79-11, item 2 (B) (1)(b) |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | (2) All other sets | Temporary Cut off files annually Destroy when superseded, obsolete or no longer needed for reference NARA Job NC1-207-79-11, item 2 B (2) |
| 3 | Tort Claims Case Files Consist of records concerning claims for damages against the United States for personal injury or death or loss of property caused by a Departmental employee Files include claim form, evidence, investigation statements, decision and related correspondence | Temporary Cut off files at the end of the fiscal year in which the case closed Destroy 3 years after cut off NARA Job NC1-207-79-11, item 3 |
| 4 | Employees' Personal Property Claims Case Files Consist of records concerning claims filed by HUD employees for loss or damage to personal property connected with Government service | Temporary Cut off files at the end of the fiscal year in which the case closed Destroy 3 years after cut off NARA Job NC1-207-79-11, item 4 |
| 5 | Official Litigation Case Files Each file contains all documents and correspondence pertaining to any case in which a Department official or employee is a party, from filing of complaint until entry of final judgment Includes, but is not limited to, Equal Employment Opportunity (EEO) and Merit Systems Protection Board (MSPB) case files Includes cases in which the Department files as a friend of the court but is not actually a party | |
| A | Official litigation case files specifically identified by a Headquarters Associate General Counsel or a Regional Counsel as having unusual significance for the Department Such cases will be segregated by office personnel prior to retirement to the | Temporary Close file after entry of order or last appeal (final judgment) Retire to Federal Records Center 1 year after entry of order or last appeal (final judgment) |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|---|---|
| | Federal Records Center | Destroy 7 years after file is closed NARA Job NC1-207-79-11, item 5 A |
| B | All other official litigation case files | Temporary Close file after entry of final judgment Retire to Federal Records Center 1 year after entry of final judgment Destroy 4 years after entry of final judgment NARA Job NC1-207-79-11, item 5 B |
| C | Unofficial reference copies of litigation documents, including attorney working files | Temporary Cut off file annually Destroy when superseded or obsolete, or when no longer needed for administrative or reference use or to satisfy preservation requirements Do <u>not</u> retire to Federal Records Center NARA Job NC1-207-79-11, item 5 C |
| 6 | Administrative Adjudication Case Files Consists of files on cases docketed for hearing and resolution by the Office of Administrative Law Judges, the Civilian Board of Contract Appeals and the Government Accountability Office Includes, but is not limited to, cases involving Contract Appeals, Protests, HUD-IRS Administrative Offsets, Mortgagee Review Board, Fair Housing, Program Fraud, Debt Collection, Community Development Block Grant, Manufactured Home Construction and Safety Standard, Residential Lead-Based Paint Hazard Reduction, Interstate Land Sales, Debarment, Suspension and Ineligibility of Contractors and Grantees | |
| A | Official administrative adjudication files kept | Temporary Close file after |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|---|--|
| | by the Office of Hearings and Appeals. Each file contains all documents, exhibits, transcripts of hearings, decisions, orders and correspondence pertaining to each case from a charge, complaint or notice of appeal to final decision or order. | entry of final order or decision. Retire to Federal Records Center 2 years after entry of final order or decision, or when volume warrants. Destroy 8 years after entry of final order of decision. NARA Job NC1-207-94-1, item 6.A. |
| | B. Files kept by the Office of General Counsel on administrative adjudications. May include documents involving actions or decisions which led to a charge, complaint or appeal and hearing, as well as copies of documents in the official file (see item 6.A. of this schedule) | Temporary Cut off file annually. Destroy 6 years after entry of final order or decision NARA Job NC1-207-94-1, item 6.B. |
| 7. | Subpoena Files. | |
| | A. Administrative Subpoena Files consist of record copy of an administrative subpoena and supporting documentation which are not made part of an administrative adjudication file (see items 6 A and 6.B. of this schedule). | Temporary: Cut off file annually. Destroy when 3 years old or when no longer needed for reference, whichever is earlier NARA Job NCI-207-79-11 item 14 |
| | B. Subpoena Transcript Files consist of files relating to subpoena return hearing with developers before an Office of Interstate Land Sales Registration (OILSR) hearing officer. May include a copy of the subpoena issued by OILSR. | Temporary: Cut off file at the end of the fiscal year in which the hearing occurred. Destroy 3 years after cut off. NARA Job NC1-207-79-11, item 14. |
| 8. | Substantial Equivalence Locality Review Files Consist of record copy of review and supporting documentation related to whether a state or local ordinance is substantially equivalent to the Fair Housing Act. | Temporary: Cut off file annually. Destroy when relevant state statute or local ordinance is replaced, in its entirety, by another law or is no longer needed for reference. NARA Job NCI- |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | | 207-80-5 item 59A |
| 9. | Legislative History Files. Consist of printed copies of the basic legislation under which the Department operates. Includes copies of Congressional hearings, bills and amendments, Public Laws and excerpts from the Congressional Record. The record set of legislative history files for all Federal agencies is kept by the Office of Management and Budget. All printed sets in HUD are considered to be reference material only. This includes the legislative history files in the Office of the Associate General Counsel for Legislation and Regulations. | Temporary: Cut off file annually. Destroy when relevant legislation is replaced, in its entirety, by other legislation, or is no longer needed for reference. These files may <u>not</u> be retired to a Federal Records Center. NARA Job NC1-207-79-11.item 7 |
| 10. | HUD Legislative Proposals Files. Consist of proposed legislation developed by HUD and related correspondence and other documents. May include background material, drafts, reviews, minutes of meetings, and position papers. | |
| | A. Master files kept by the Office of the Associate General Counsel for Legislation and Regulations. | Temporary Close file at end of fiscal year in which legislation is enacted or dropped. Destroy 15 years after close of file NARA Job NC1-207-79-11 item 8 A. |
| | B Files kept by other HUD offices which initiate or review HUD's legislative proposals. | Temporary: Close file at end of fiscal year in which legislation is enacted or dropped. Destroy 6 years after close of file. NARA Job NC1-207-79-11 item 8 B. |
| 11. | Legislative Reports Files. Consist of files of reports to Congress and the Office of Management and Budget on legislative | |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | proposals affecting HUD, but developed by Congress or other Federal agencies Also, consist of files on oversight reports to Congress and the Office of Management and Budget on HUD program activities. Includes correspondence and other related documents. | |
| A. | Report files on legislative proposals affecting HUD, but developed by Congress or other Federal agencies. | |
| | (1) Master files kept by the Office of the Associate General Counsel for Legislation and Regulations. | Temporary: Close file at end of fiscal year in which legislation is enacted or dropped. Destroy 5 years after close of file. NARA Job NC1-207-82-.8, item 9.A.(1). |
| | (2) Files kept by other HUD offices which reviewed and commented on the proposed legislation. | Temporary: Close file at end of fiscal year in which legislation is enacted or dropped. Destroy 2 years after close of file NARA Job NC1-207-82-8 item 9.A (2). |
| B | Oversight report files on HUD program activities. | |
| | (1) Master files kept by the Office of the Associate General Counsel for Legislation and Regulations. | Temporary Close file at end of fiscal year in which reports are prepared Destroy 3 years after close of file. NARA Job NC1-207-82-8 item 9 B.(1). |
| | (2) Files kept by other HUD offices submitting feeder reports to the Office of the Associate General Counsel for Legislation and Regulations. | Temporary Close file at end of fiscal year in which reports are prepared. Destroy 2 years after close of file. NARA Job NC1-207-82-8 item 9.B.(2). |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|--|---|
| 12. | Legal Opinion Files. Consist of correspondence and related documents providing legal opinions, interpretations, rulings and advice on HUD programs and operations to HUD officials, HUD clientele, other Federal agencies, States, Congress and the general public. | |
| A. | Record copies of legal opinions, interpretations, rulings or advice concerning HUD's relationship with the public housing agencies (PHA's). Filed by PHA. | PERMANENT: Offer to NARA when 12 years old. Agency Will maintain & transfer electronic records according to NARA transfer guidance and regulations Supersedes NARA Job NC1-207-79-11, item 10.A. |
| B | Record copies of legal opinions, interpretations, rulings or advice not covered in item 12 A. | |
| (1) | Considered to be significant or precedent setting, including legal opinions, interpretations, rulings, or advice that analyze or discuss legal positions, case law, or policy that are new, substantial or of great importance to OGC, or that concern open cases, or for which OGC anticipates a need in the future. Includes background material. Kept by the Office of General Counsel (OGC) unit which issued the opinion, interpretation, ruling or advice. | PERMANENT Offer to NARA when 12 years old. Agency Will maintain & transfer electronic records according to NARA transfer guidance and regulations Supersedes NARA Job NC1-207-79-11, item 10 B (1). |
| (2) | Not considered to be significant or precedent setting, including legal opinions, interpretations, rulings, or advice that are routine, that concern a case that is no longer open, or that HUD does not anticipate needing for future reference. Includes background material kept by OGC unit which issued the | PERMANENT: Offer to NARA when 12 years old. Agency Will maintain & transfer electronic records according to NARA transfer guidance and regulations Supersedes NARA Job NC1-207-79-11, item 10.B.(2) |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | opinion, interpretation, ruling or advice. | |
| C. | Book of legal opinions. Only those legal opinions considered to be significant are included in this book. Attachments to the opinions are not always included. | |
| | (1) Master set kept by OGC unit which prepares the book. Those editions prior to 1976 have separate card indexes. | PERMANENT: Offer to NARA when 12 years old. For those volumes having separate card indexes, offer the indexes to NARA with the corresponding volumes needed for reference. NARA Job NC1-207-79-11, item 10 C (1).(Permanent) |
| | (2) All other sets (non-record copies) | Temporary: Cut off file annually. Destroy when obsolete or no longer needed for reference. These files may <u>not</u> be retired to a Federal Records Center. NARA Job NC1-207-79-11, item 10.C.(2). |
| D. | Memoranda on recent legal developments of interest to the Field. Contains summaries of the developments. Copies of the related opinions or other documents may be attached. [Note: As of FY 2009, the memoranda on recent legal developments is no longer compiled and distributed]. | |
| | (1) Master set kept by OGC unit which prepare the memoranda | Temporary: Cut off file annually. Destroy when 6 years old. NARA Job NC1- |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|---|---|
| | (2) All other sets. | 207-79-10, item 10.D.(1). Temporary: Cut off file annually Destroy when superseded, obsolete or no longer needed for reference. NARA Job NC1-207-79-11, item 10.D.(2). |
| | E. All other non-record copies of legal opinions, interpretations, rulings or advice. | Temporary: Cut off file annually. Destroy when obsolete or no longer needed for reference. NARA Job NC1-207-79-11, item 10 E. |
| 13. | Legal Activity Report Files Consist of weekly reports prepared by each Associate General Counsel or Regional Counsel on the activities of his/her office to keep the General Counsel informed. Also used to prepare the memoranda on recent legal developments (see item 12.D. of this schedule). | |
| | A Individual office legal activity report files submitted by each Associate General Counsel or Regional Counsel. | Temporary: Close at the end of the fiscal year. Destroy when 2 years old or when no longer needed for reference, whichever is earlier. NARA Job NC1-207-79-11, item 11.A. |
| | B. Legal Activity report files submitted to the General Counsel. | Temporary: Close at then end of the fiscal year. Destroy when 3 years old or when no longer needed for reference, whichever is earlier NARA Job NC1-207-79-11, item 11.B. |
| 14. | Legal Reference Files. Consist of extra (non-record) copies of legislation, opinions, litigation, court decisions, issuances, | Temporary: Cut off file annually Destroy when superseded, obsolete or no |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|---|
| | publications, reports, speeches and other material used for reference purposes, regardless of source. Includes informational copies of correspondence. Official record copies of such documents are covered elsewhere in this schedule or in other Departmental records disposition schedules. | longer needed for reference Reference files may <u>not</u> be retired to a Federal Records Center. NARA Job NC1-207-79-11, item 12. |
| 15. | Copies of subpoenas issued by the Office of Interstate Land Sales Registration which do not become part of another file (i.e., on which no further action is taken). | Temporary: Cut off file annually. Destroy when 1 year old. NARA Job NC1-207-79-11, item 15. |
| 16 | Settlement case files involving penalties imposed on manufacturers for violations under the Manufactured Home Construction and Safety Standard. Consists of files on cases where settlement was reached without need for an administrative hearing or litigation. Includes preliminary determinations, subpoenas, investigation documents, settlement papers and related correspondence. | Temporary: Cut off file annually. Destroy 5 years after settlement. NARA Job NC1-207-79-11, item 16. |
| 17 | Temporary Denials of Participation (TDP) and Limited Denials of Participation (LDP) Files. Consist of orders, notices and other documents issued by Field Offices to deny or limit a contractor's or grantee's participation in HUD programs for a temporary period. | |
| | A. Record copy kept of Field Office issuing the orders and other documents. | Temporary: Cut off file annually. Destroy 6 years after Temporary or Limited Denial is removed. NARA Job NC1-207-79-11, item 17.A. |
| | B. All other copies | Temporary. Cut off file annually. Destroy 3 years after Temporary or Limited Denial of Participation is |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | | removed or when no longer needed for reference, whichever is earlier. NARA Job NC1-207-79-11, item 17.B. |
| 18 | Annual Contributions Contracts (ACCs) and amendments to Annual Contributions Contracts. Includes record copy of Annual Contribution Contract and any documentation related to an amendment to an ACC. | Temporary Cut off file annually. Destroy 6 years after the last amendment to the Annual Contribution Contract expires. (NEW) |
| 19. | Debarment ADP System This automatic data processing (ADP) system provides recurring updated listings of contractors and grantees debarred from, ineligible for, or suspended from recurring awards by the Department The reason for the actions, extent of restrictions, and cross-reference of individuals and companies are reflected. | |
| | A. Documentation Files Covers those records required for servicing machine-readable records--for converting them from human-readable information to encoded data and vice versa. These are an organized series of descriptive documents require to initiate, develop, operate and maintain specific applications of ADP systems. | Temporary: Destroy 1 year after system is placed on inactive list. NARA Job NC1-207-79-11, item 18 A. |
| | B Input Documents | |
| | (1) Forms, reports and other documents intended solely to serve as inputs to the system. | Temporary: Destroy after data has been entered into the system and verified. NARA Job NC1-207-79-11, item 18.B.(1). |
| | (2) Forms, reports and other documents which serve other program uses in addition to serving as inputs to the | Temporary: Use the appropriate item elsewhere in this schedule NARA Job |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|---|---|
| | system. | NC1-207-79-11, item 18.B.(2). |
| C. | Processing Files Those machine-readable files (from work files and raw data input files to publication files and security backup files) which are used to create and use a master file. | Temporary: Destroy after third update cycle. NARA Job NC1-207-79-11, item 18.C. |
| D. | Master Files. Constitute the definitive state of a data file in a system at a given time. | |
| | (1) While the system is operational. | Temporary Destroy after third update cycle. NARA Job NC1-207-79-11, item 18.D.(1). |
| | (2). When the system is deleted from the inventory of active systems. | Temporary: Destroy 1 year after system is placed on inactive list. NARA Job NC1-207-79-11, item 18.D (2). |
| E. | Printouts, output reports. | |
| | (1) Joint consolidated list of debarred, suspended and ineligible contractors and grantees. Produced quarterly. | |
| | (a) Master set kept by the Office of the Inspector General | Temporary: Destroy when 5 years old NARA Job NC1-207-79-11, item 18 E.(1)(a). |
| | (b) All other copies. | Temporary: Keep the most recent quarterly list and destroy all previous editions. NARA Job NC1-207-79-11, item 18 E.(1)(b). |
| | (2) Monthly lists of additions and deletions to the Joint Consolidated List. | |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition |
|-----------------|--|---|
| | (a) Master set kept by the Office of the Inspector General. | Temporary: Destroy when 5 years old NARA Job NC1-207-79-11, item 18.E.(2)(a). |
| | (b) All other copies | Temporary: Destroy upon receipt of quarterly Joint Consolidated List incorporating the monthly lists. NARA Job NC1-207-79-11, item 18.E.(2)(b). |
| 20. | Ethics Files—Consist of written counseling, training and legal guidance on issues involving such matters as employee standards of conduct, financial disclosure, the Hatch Act, political activities, HUD Reform, gift acceptance and compliance with the Federal Criminal Conflict of Interest statutes; documents obtained to manage the public and confidential financial disclosure systems; documents pertaining to ethics education and training program for all agency employees; and Public and Confidential Disclosure Reports for agency personnel. | |
| A | Ethics— Interpretation, Counseling, and Development Files. | |
| | (1)—Consist of record copy of correspondence, documentation, and other materials related to ethics determinations, advice, and counseling; prior approval of outside employment and activities; and determinations related to widely attended gatherings. | Temporary: Cut off file annually. Close or destroy 3 years after date of issuance unless needed for reference. (GRS 25, item 1.a) |
| | (2)—All other documents related to ethics interpretation, counseling, and development. | Temporary: Close file after the waiver or other agreed-upon determination has been received or action has been issued or undertaken or is no |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|----------|--|---|
| B. | Financial Disclosure Reporting Files. Consist of Public Financial Disclosure Reports, Confidential Financial Disclosure Reports, and related documentation. | longer in effect, whichever is later. Destroy 6 years after file is closed. (GRS 25, item 1.b) |
| | (1) Public Financial Disclosure Reports (SF 278)(OGE GOVT 1). Consist of record copy of report and related documentation. | |
| | (a) Public Financial Disclosure Reports Related to PAS (president appointed, senate confirmed) nominee, who is not confirmed. | Temporary: Cut off file annually. Destroy 1 year after PAS (president appointed, senate confirmed) nominee, who is not confirmed, ceases to be considered for position unless records are needed for investigation. (GRS 25, item 2.a(1)) |
| | (b) Reports and related documentation needed for investigation. | Temporary: Cut off file in the fiscal year in which the investigation is concluded or a final decision is made. Destroy file 1 year after cut off (GRS 25, item 2 a(1)) |
| | (c) All other Public Financial Disclosure Reports. | Temporary: Cut off file annually. Destroy after 6 years after certification unless needed for investigation. (GRS 25, item 2.a(2)) |
| | (d) Reports and related documentation | Temporary: Cut off file in |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records needed for investigation. | Disposition |
|----------|--|--|
| (2) | Confidential Financial Disclosure Reports (OGE 450 and HUD 450 A)(OGE GOVT 2). Consist of record copy of report and related documentation | Temporary—Close file at the end of the calendar year. Destroy after 6 years after certification unless needed for investigation. Reports and related documentation needed for investigation should be retained until no longer needed for investigation. (GRS 25, item 2.b(2)) |
| C | Ethics Agreements—Consist of record copy of agreement and related documentation | Temporary— Destroy 6 years after date of ethics agreement or when no longer in effect, whichever is later. (GRS 25, item 3) |
| D | Referrals and Notifications of Violations of Criminal Conflict of Interest Statutes and Other Potential Violations Files—Consist of record copy of correspondence, documentation, and other materials. | Temporary— Destroy 6 years after notification of action taken unless needed for reference- (GRS 25, item 4) |
| E. | Non-federally Funded Travel Files.—Consist of Semiannual Expense Reports and the Records Used to Compile Reports. | |
| (1) | Semiannual Expense Reports.—Consist of record copy of expense report and related documentation | Temporary: Destroy 3 years after the date the report is submitted unless needed for reference. (GRS 25, item 5 a) |
| (2) | Records Used to Compile Reports. | Temporary: Destroy 1 year after the date the report is |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|---|
| | | issued unless needed for reference. (GRS 25, item 5.b) |
| F | Ethics Program Review Files—Consist of OGC Reviews and Responses and Other Background Materials. | |
| (1) | OGE Reviews and Responses.—Consist of record copy of review and responses and related documentation. | Temporary: Destroy 6 years after the date of submission unless needed for reference. (GRS 25, item 6.a) |
| (2) | Background materials related to OGE Reviews and Responses.—Consist of record copy of background materials. | Temporary: Destroy 1 year after the completion of the OGE review unless needed for reference. (GRS 25, item 6.b) |
| G. | Annual Agency Ethics Program Questionnaires.—Consist of record copy of questionnaire and related materials. | |
| (1) | Annual Agency Ethics Program Questionnaires. | Temporary: Destroy 3 years after questionnaire is completed unless needed for reference. (GRS 25, item 7 a) |
| (2) | All other records and documentation related to the Annual Agency Ethics Program Questionnaires. | Temporary: Destroy 1 year after questionnaire is completed unless needed for reference. (GRS 25, item 7 b) |
| H. | Ethics Training and Orientation Documentation and Materials.—Consist of record copy of documentation and materials. | Temporary: Destroy 6 years after the date of the training unless needed for reference. (GRS 25, item 8.b) |
| I | Ethics Program Administration Files—Consist of record copy of correspondence, documentation, and other materials. | Temporary: Destroy 6 years after the correspondence date unless needed for reference. |

RECORDS DISPOSITION SCHEDULE 2
Legal Records

| Item No. | Description of Records | Disposition (GRS 25, item 8.a) |
|-----------------|---|--|
| J. | Electronic Mail and Word Processing System Copies of Ethics Documents | |
| | (1) Copies of ethics documents that are under no legal obligation to be kept and have no further administrative value after the record copy is made. | Non-Record: Destroy and/or delete within 180 days after the record copy has been produced unless under a legal obligation to be kept. Copies of documents required to be legally kept should be held until this obligation is lifted. |
| | (2) Copies of ethics documents that are used for dissemination, revision, or updating that are maintained in addition to the record copy. | Non-Record: Destroy and/or delete when dissemination, revision, or updating is completed unless under a legal obligation to be kept. Copies of documents required to be legally kept should be held until this obligation is lifted. |
| 21. | Attorney Working Files. Consist of drafts, notes, background material and reference copies of documents. The record copies of documents prepared by attorneys are placed in the official case files, project docket files or other official files as appropriate. Other items of this schedule or other Department records disposition schedules cover the record copies. | |
| A | Related to specific administrative cases. | Temporary: When the administrative case is closed, screen the related working file and transfer any record material to the official case file. Destroy when obsolete or when no longer need for |

RECORDS DISPOSITION SCHEDULE 2
Legal Record

| Item No. | Description of Records | Disposition |
|-----------------|--|--|
| | | reference or to satisfy preservation requirements. NARA Job NC1-207-79-11, item 19 A. |
| B | Related to foreclosure and sale of multifamily projects. | Temporary: When the project is sold and HUD no longer has an interest in it, screen the related working file and transfer any record material to the official case file. Destroy when obsolete or when no longer need for reference or to satisfy preservation requirements NARA Job NC1-207-79-11, item 19 B. |
| C | All other working files. | Temporary: Destroy when obsolete or when no longer need for reference or to satisfy preservation requirements Screen working file before destruction and transfer any record material to the related official file. NARA Job NC1-207-79-11, item 19.C |
| 22. | Correspondence files not covered elsewhere in this schedule. | Temporary. Close file at the end of the calendar year. Destroy 3 years after file is closed. NARA Job NC1-207-79-11, item 20. |