

rec, 8/21
802

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

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

1 FROM (Agency or establishment)
Department of Justice

2 MAJOR SUBDIVISION
Justice Management Division

3 MINOR SUBDIVISION
Executive Support Staff

4 NAME OF PERSON WITH WHOM TO CONFER 5 TELEPHONE
Willistine M Clark 8/8/00
Willistine M. Clark, Director 202-514-5537

LEAVE BLANK (NARA use only)

JOB NUMBER
71-060-00-10

DATE RECEIVED
8-21-00

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10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 8-15-02 ARCHIVES OF THE UNITED STATES
WITHDRAWN

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 1 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 08-08-00	SIGNATURE OF AGENCY REPRESENTATIVE <i>Bernard W Bergling</i> Bernard W Bergling	TITLE Records Officer
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7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	<p align="center">Records of Special Counsels Appointed by the Attorney General</p> <p>This schedule covers the records generated by Special Counsels appointed by the Attorney General under the authority of 28 C F R Chapter VI, Part 600 The Attorney General will appoint a Special Counsel when he or she determines that criminal investigation of a person or matter is warranted and (a) that investigation or prosecution of that person or matter by a United States Attorney's office or litigating Division of the Department of Justice would present a conflict of interest for the Department or other extraordinary circumstances, and (b) that under the circumstances, it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter</p>		

The National Archives and Records Administration will accept transfer of the recordkeeping copy of the records of the Office of Special Counsel. At the time of transfer, NARA, the Department of Justice, and the Office of Special Counsel will determine the medium and format in which records will be transferred as well as their arrangement. Every effort will be made to transfer electronic records electronically in accordance with the standards for permanent records contained in 36 CFR 1228.188. If transfer of electronic records in an electronic medium is not feasible, prior to transfer, with NARA concurrence, records will be converted to paper or to microform that meets the standards contained in 36 CFR 1230.14.

1. **Evidence and exhibits** acquired for an investigation by the Special Counsel from federal agencies, state and local governments, private organizations and individuals.

- a. **Recordkeeping copy**

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work.

- b. **Other copies**

DISPOSITION: Temporary. Delete/destroy after recordkeeping copy is produced.

NOTE: Three dimensional artifacts and other physical objects that are identified as evidence or used as exhibits and which add significant meaning and understanding to the matter under investigation must be brought to the attention of the Department of Justice Records Officer who will, in consultation with the National Archives and Records Administration, determine their appropriate disposition.

2. **Audiovisual records and cartographic records**, such as videotapes, motion pictures, still photographs, digital photographs, maps, architectural and engineering drawings, audio recordings, television newscasts, and the like.

- a. **Records collected and received as evidence by the Special Counsel.**

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work.

- b. **Records created by the Special Counsel.**

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work. For types and formats of audiovisual records follow regulations in 36 CFR, Chapter 12, Part 1228.266 or 36 CFR, Chapter 12, Part 1228.268 and 36 CFR, Chapter 12, Part 1228.270.

3. **Investigation files** created by the investigators assigned to the Office of the Special Counsel. Records include, but are not limited to, correspondence, interviews, analyses of the evidence, and attorney's notes and other work product.

a. Recordkeeping copy

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work.

b. Other copies

DISPOSITION: Temporary. Delete/destroy after recordkeeping copy is produced.

4. **Tracking systems, finding aids, and any other tools used to access the records or analyze the evidence.**

a. Recordkeeping copy

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work.

b. Other copies

DISPOSITION: Temporary. Delete/destroy after recordkeeping copy is produced.

5. **Reports of the Special Counsel.** All interim and final reports of the Special Counsel including background material, drafts containing substantive changes, and comments on the report from Special Counsel staff and outside individuals or organizations.

a. Recordkeeping copy

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work.

b. Other copies

DISPOSITION: Temporary. Delete/destroy after recordkeeping copy is produced.

6. **Administrative and support records, e.g., relating to personnel, payroll, budget, accounting, travel, and other "housekeeping" matters not covered by specific disposition authorities in the General Records Schedule.**

DISPOSITION: Temporary. Destroy when three years old or no longer needed for audit or other administrative purpose, whichever is later. Eligible records may be transferred to a Federal Records Center or other approved records storage facility.

7. **Trial Team Records.** In the event of prosecution resulting from the investigation, the Special Counsel acts as the prosecuting attorney. Records include court filings, evidence, exhibits, subpoenas, depositions, and other criminal litigation records.

a. Recordkeeping copy

DISPOSITION: Permanent. Transfer to the National Archives and Records Administration (NARA) at the conclusion of the Special Counsel's work.

b. Other copies

DISPOSITION: Temporary. Delete/destroy after recordkeeping copy is produced.

8. **Electronic copies of records** that are created on electronic mail and word processing systems and used solely to generate a recordkeeping copy of the records covered by the other items in this schedule.

DISPOSITION: Destroy/delete after the recordkeeping copy has been produced and filed in the recordkeeping system.

9. **Electronic copies of records** that are created on electronic mail and word processing systems **used for dissemination, revision, or updating** that are maintained in addition to the recordkeeping copy.

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