

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		LEAVE BLANK (NARA use only)	
		JOB NUMBER <i>NI-060-09-9</i>	
To NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001		Date Received <i>2/3/09</i>	
1 FROM (Agency or establishment) U S Department of Justice		NOTIFICATION TO AGENCY	
2 MAJOR SUB DIVISION Executive Office for United States Attorneys		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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
3 MINOR SUBDIVISION Office of the Director, Executive Office for United States Attorneys			
4 NAME OF PERSON WITH WHOM TO CONFER Gail C Ratliffe, Deputy Chief Operating Officer	5 TELEPHONE 202 616 6876		
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 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 <i>1/27/09</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Janetta Hunt</i>		TITLE <i>Director, O&amp;MP</i>
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
1	United States Attorney Nominations and Appointments Files See attached	None	

## **United States Attorney Nominations & Appointments Files Maintained by the Executive Office for United States Attorneys**

The office of the United States Attorney (USA) was created in the Judiciary Act of 1789, which directed the President to appoint in each federal district a “person learned in the law to act as an attorney for the United States.” According to 1 Stat. 92, the United States Attorney was “to prosecute in [each] district all delinquents for crimes and offenses cognizable under the authority of the United States, and all civil actions in which the United States shall be concerned.” In 1789, there were only thirteen federal districts. Today there are 94 federal districts with 93 U.S. Attorneys serving them. (The same U.S. Attorney serves both the District of Guam and the District of the Northern Mariana Islands.)

The Executive Office for United States Attorneys (EOUSA) was created by an order of the Attorney General on April 6, 1953 to “provide general executive assistance and supervision to the offices of the United States Attorneys.” The U.S. Code of Federal Regulation (CFR), 28 CFR § 22, states that: “The Executive Office for United States Attorneys shall be under the direction of a Director who shall: (a) Provide general executive assistance and supervision to the offices of the U.S. Attorneys, including: (1) Evaluating the performance of the offices of the U.S. Attorneys, making appropriate reports and inspections and taking corrective action where indicated. (2) Coordinating and directing the relationship of the offices of the U.S. Attorneys with other organizational units of the Department of Justice.” As part of both its supervision and support role for the United States Attorneys, EOUSA is the official custodian of the records for the nominations and appointments of all USAs.

### **1. Nominations and Appointment Files for all appointed USAs**

#### **A. Presidential-Appointed, Senate-Confirmed (PAS) USAs**

Files may include: letters of recommendation, resumes, Department of Justice/White House Questionnaires and attachments, interview notes, draft pre-nomination paperwork, nomination paperwork, Senate Questionnaires and attachments, copy of Presidential Commission, SFs-61 (Appointment Affidavits), SFs-52 (Request for Personnel Action), and resignation letters

Disposition: PERMANENT. Cut off at the end of the calendar year after the end of the Presidential Administration in which the USA was confirmed. Transfer to the National Archives and Records Administration 8 years after cutoff.

#### **B. Non-PAS USAs; includes Vacancies Reform Act (VRA) Appointees, Attorney General (AG) Appointees, and Court Appointees**

Files may include:

- VRA Appointees: resumes, interview notes, draft Government Accountability Office forms

- AG Appointees: resumes, interview notes, AG Orders of Appointment and recommendation memos, call sheets for Chief Judge, letters to Chief Judge, SFs-61(Appointment Affidavits), SFs-52 (Request for Personnel Action), and employment letters.
- Court Appointees: resumes, interview notes, call sheets for chief Judge, letters to Chief Judge, Court Orders of Appointment, SFs-61(Appointment Affidavits), SFs-52 (Request for Personnel Action)

Disposition: PERMANENT. Cut off at the end of the calendar year after the end of the Presidential Administration in which the USA was appointed. Transfer to the National Archives and Records Administration 8 years after cutoff

## 2. Candidates and nominees who are not confirmed and/or appointed as USAs

Files may include: letters of recommendation, resumes, Department of Justice/White House Questionnaires and attachments, interview notes, draft pre-nomination paperwork, nomination paperwork, Senate Questionnaires and attachments, call sheets, and recommendation memos

Disposition: TEMPORARY. Cutoff at the end of the calendar year after the end of the Presidential Administration in which the USA candidate was interviewed or considered for the position. Destroy/delete 3 years after cutoff.

## 3. USA Database

The purpose of the USA Database is to provide an automated system to electronically track US Attorney information and Presidential, AG, VRA, and Court appointments. This allows the Office of the Director to easily generate accurate reports and search for US Attorney information and appointments.

### a-Inputs

~~Users enter new USA information and appointments into the database.~~

~~Disposition—TEMPORARY, destroy when data has been entered and verified in database. (GRS 20)~~

### b Master File

The database includes candidate's biographical data (photos may be added) and appointment information for each type of nomination and appointment. Appointment information identifies the district, actions taken and related documents, predecessor and successor to the position, sponsor, and appointment status. For non-presidential appointments, the system calculates the appointment's expiration based on regulations applicable to the type of appointment.

Disposition: PERMANENT. Cut off at the end of the calendar year after the end of the Presidential Administration in which the USA was appointed. Transfer to the National Archives and Records Administration 8 years after cutoff.

c. Reports

~~The following static reports are available: Actions, Appointments, Average Age of Presidential Appointments, Candidate Comments, Current USA's, Directory, Diversity, Interim USA's, Paperwork to Candidate, Pending Interviews, Resignations, Transitions, USA Birthdays, and USA Status~~

~~Disposition: TEMPORARY, destroy/delete when no longer needed. (GRS 20)~~

d. System Documentation and User Manual.

Disposition: PERMANENT. Transfer to the National Archives with database. GRS 20

4. Vetting Documents

Files include reports of the results of any vetting conducted.

Disposition TEMPORARY Destroy at the end of the calendar year after the end of the Presidential Administration in which the USA candidate was interviewed or considered for the position.

5. Summary Reports of Background Investigations

Files include summary reports of the results of background investigations conducted for candidates and nominees.

Disposition: TEMPORARY. Destroy at the end of the calendar year after the end of the Presidential Administration in which the USA candidate was interviewed or considered for the position.