

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

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

1. FROM (Agency or establishment)
 Department of Justice

2. MAJOR SUBDIVISION
 Office of Professional Responsibility

3. MINOR SUBDIVISION

4 NAME OF PERSON WITH WHOM TO CONFER 5 TELEPHONE
R. Keith Thomas 3/12/99 202-514-3365
 R. Keith Thomas

LEAVE BLANK (NARA use only)

JOB NUMBER
NI-60-99-6

DATE RECEIVED
3-24-99

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10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 ARCHIVIST OF THE UNITED STATES
10-22-99 *John W. Paul*

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 2 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 SIGNATURE OF AGENCY REPRESENTATIVE TITLE
3-18-99 *Bernard W. Berglund* Bernard W. Berglund Records Officer

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION | 9 GRS OR SUPERSEDED JOB CITATION | 10. ACTION TAKEN (NARA USE ONLY) |
|-------------|---|----------------------------------|----------------------------------|
| 1. | <p>The Office of Professional Responsibility (OPR) was created by Attorney General Edward H. Levi in 1975 in response to revelations of ethical abuses and misconduct by Department of Justice (DOJ) officials in the Watergate scandal. Pursuant to 28 C.F.R. §0.39a, OPR reports directly to the Attorney General and Deputy Attorney General. Under Attorney General Order No. 1931-94, OPR has jurisdiction to investigate allegations of misconduct by DOJ attorneys that relate to the exercise of their authority to investigation, litigate or provide legal advice. In addition, OPR has jurisdiction to investigate allegations of misconduct by law enforcement personnel when they are related to allegations of misconduct by attorneys within the jurisdiction of OPR. OPR also investigates other matters when requested by the Attorney General or Deputy Attorney General.</p> <p>Investigative Files (Casetrak). OPR creates and maintains a file for each allegation of misconduct which is investigated by OPR attorneys. Casetrak files include the original complaint, the investigating attorney's notes and evaluation, and any reports developed or documents collected during the course of the investigation. These files frequently contain material which is subject to the grand jury secrecy requirements of Rule 6(e) of</p> | NC1-60-77-6 | |

Copies: Agency, NWMDC & NWMWA

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ITEM
NO.

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TAKEN (NARA
USE ONLY)

the Federal Rules of Criminal Procedure; information obtained from confidential informants; and other material obtained under pledge of confidentiality. Some files contain classified information. A record is also made as to the disposition of the matter. The records are identified by number within each fiscal year. Depending on the nature of the investigation and the action taken by the DOJ based on OPR's conclusions, an investigation may remain open for more than one year, and the file may remain active for several years thereafter. The file may also contain, when applicable, printed copies of email and word processing documents described in Item 4.

A. Investigative files that meet any of the following criteria:

- The case is regarded as significant in terms of its legal impact on statutes, rules or regulations, or law enforcement policies.
- The case is regarded as significant in terms of public interest, expressed by (a) demonstrated interest of a congressional committee or the Executive Office of the President, or (b) a high degree of national media attention.

Disposition. **Permanent.** Transfer to the Washington National Records Center (WNRC) five (5) years after the investigation is closed and all activity on the matter has ceased. Transfer to NARA thirty (30) years after investigation is closed and all activity on the matter has ceased.

B. Investigative files that do not meet the permanent criteria in Item 1A.

Disposition. **Temporary.** Transfer to the WNRC five (5) years after the investigation is closed and all activity on the matter has ceased. Destroy thirty (30) years after investigation is closed and all activity on the matter has ceased.

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|-------------|---|-----------------------------------|----------------------------------|
| 2. | <p><u>Selected Matters Handled by Attorneys.</u> OPR creates and maintains a file for each alleged incident of misconduct on the part of a DOJ employee which is reviewed and handled by an OPR attorney. Selected matter files include the original or a copy of the complaint and any reports developed or documents collected during the course of the review. A record is usually made as to the disposition of the matter. The records are arranged in continuing numerical order. The file may also contain, when applicable, printed copies of email and word processing documents described in Item 4.</p> <p><u>Disposition. Temporary.</u> Transfer to the WNRC five (5) years after the matter is closed and all activity on the matter has ceased. Destroy thirty (30) years after the matter is closed and all activity on the matter has ceased.</p> | | |
| 3. | <p><u>Selected Matters Handled by Other Than Attorneys.</u> These are selected matters regarding allegations of misconduct assigned to analysts or paralegals for resolution. OPR creates and maintains a file for each allegation received which is reviewed and handled by other than an OPR attorney. Selected matters files include a copy of the complaint and any documents initiated or collected during the review of the matter. A record is also made as to the disposition of the matter. The records are arranged in continuing numerical order. The file may also contain, when applicable, printed copies of email and word processing documents described in Item 4.</p> <p><u>Disposition. Temporary.</u> Destroy five (5) years after the matter is closed and all activity on the matter has ceased.</p> | | |
| 4. | <p><u>Electronic Version of Email Messages and Word Processing Documents.</u> Records created and received via electronic systems that support individual OPR case matters will be copied to paper and filed in the appropriate case file. Email messages shall include message text, attachments, drafts, and transmission and receipt data. The process of filing described in Items 1, 2 and 3 above is the recordkeeping system.</p> <p><u>Disposition.</u> Delete after copying to paper and placement in the recordkeeping system.</p> | | |