

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 <i>NF-060-0819</i>	
1 FROM (Agency or establishment) U S Department of Justice		Date Received <i>6/4/09</i>	
2 MAJOR SUB DIVISION Executive Office for U S Attorneys		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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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 Gail C Ratliffe	5 TELEPHONE 202 616 6876	DATE <i>02/10</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>
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>9</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 <i>6/21/2009</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i>		TITLE <i>Director/DRMP</i>
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	United States Attorneys' Manual (USAM), United States Attorneys' Bulletins (USAB), and United States Attorneys' Procedures (USAPs) See attached		

United States Attorneys' Manual, United States Attorneys' Bulletins, and United States Attorneys' Procedures

Executive Office for United States Attorneys

I. Organizational Context in which the records were created:

The position of United States Attorney was established by the Judiciary Act of 1789 (1 Stat. 73, § 35), and the mission of the United States Attorneys' Offices (USAOs) is to prosecute criminal offenses and litigate civil matters on behalf of the United States in all 94 Federal judicial districts nationwide. 28 U.S.C. § 547. By Attorney General Order No. 8-53 (April 6, 1953), the Executive Office for United States Attorneys (EOUSA) was created to "[p]rovide general executive assistance and supervision to the offices of the United States Attorneys." 28 C.F.R. §0.22.

Per 28 C.F.R. §0.22, EOUSA is charged with publishing and maintaining a U S. Attorney' Manual and a United States Attorneys' Bulletin for the internal guidance of the U S. Attorneys' offices and those other organizational units of the Department concerned with litigation.

II. Description of the records:

A. The United States Attorneys' Manual (USAM)

The United States Attorneys' Manual originally was created as a loose leaf text designed as a quick and ready reference for United States Attorneys, Assistant United States Attorneys, and Department attorneys responsible for the prosecution of violations of federal law. It contains general policies and some procedures relevant to the work of the United States Attorneys' offices and to their relations with the legal divisions, investigative agencies, and other components within the Department of Justice. Hardcopy USAMs dated 1953, 1955 (Forms), 1961, and 1970 exist. One paper copy dated 1984 with changes up to 1987 exists. In 1987, the USAM was rewritten and reduced from 17 to ~~17~~ ⁴⁵ volumes. Hardcopy was published from 1988 to 1997, with a major consolidation effort resulting in reduction from ~~17~~ ⁴⁵ volumes to ~~2~~ ². EOUSA has all of the substantive changes issued from 1989 to the present. Beginning in 1997, ~~only an electronic version~~ of the USAM is published and maintained in electronic format.

The Manual provides only internal Department of Justice guidance. It is not intended to, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter civil or criminal. Nor are any limitations hereby placed on otherwise lawful litigative prerogatives of the Department of Justice.

The United States Attorneys' Manual was prepared under the general supervision of the Attorney General and under the direction of the Deputy Attorney General, by the United States

- changes per
request of Gail
Ratliffe -
11/17/09
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United States Attorneys' Manual, United States Attorneys' Bulletins, and United States Attorneys' Procedures

Attorneys, represented by the Attorney General's Advisory Committee of United States Attorneys, the Litigating Divisions, the Executive Office for United States Attorneys, and the Justice Management Division. *See* A.G. Order 665-76. The Executive Office for United States Attorneys coordinates the periodic revision of the Manual in consultation with the Attorney General, Deputy Attorney General and Associate Attorney General.

This Manual is intended to be comprehensive. When the Manual conflicts with earlier Department statements, except for Attorney General's statements, the Manual will control. Should a situation arise in which a Department policy statement predating the Manual relates to a subject not addressed in the Manual, the prior statement controls, but this situation should be brought to the attention of the Executive Office for United States Attorneys, Manual Staff, Department of Justice, Room 2262, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530.

The manual is available to the public on line at http://www.usdoj.gov/usao/eousa/foia_reading_room/usam/.

The Manual is divided into nine (9) titles:

Title 1—General

Title 2—Appeals

Title 3—Executive Office for United States Attorneys

Title 4—Civil

Title 5—Environment and Natural Resources

Title 6—Tax

Title 7—Antitrust

Title 8—Civil Rights

Title 9—Criminal

Substantive changes are submitted by the Attorney General, Deputy Attorney General, Associate Attorney General, a litigating division or the Executive Office for United States Attorneys (EOUSA). Substantive changes submitted by an Assistant Attorney General for a litigating division or the Director EOUSA must be reviewed by the Attorney General's Advisory Committee (AGAC) before being incorporated into the Manual. If the AGAC objects to the

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proposed policy change, it will meet with the litigating division or EOUSA to resolve. Unresolved issues will be resolved by the Deputy Attorney General or Attorney General. Policy changes issued by the Attorney General, Deputy Attorney General, and Associate Attorney General are effective upon issuance. For guidance in preparing a substantive change, contact the Manual Staff.

Clerical changes to the Manual do not require review by the Advisory Committee and can be incorporated directly into the Manual. Clerical changes should be sent to the USAM staff through the Director, EOUSA.

Disposition: PERMANENT. The United States Attorneys' Manual (USAM) is updated as required by changing law, regulation and/or policies. Cut off at the end of the calendar year after the end of a Presidential Administration. Accession to the National Archives and Records Administration within 6 months after cutoff.

B. United States Attorneys Bulletins

The collection dates from 1996 and includes the following titles in both HTML and PDF versions and are available to the public on line at http://www.usdoj.gov/usao/eousa/foia_reading_room/foiamanuals.html

2009

January	Health Care Fraud	HTML PDF
March	Employment Discrimination	HTML PDF

2008

January	Computer Forensics	HTML PDF
March	Identity Theft	HTML PDF
May	Electronic Discovery	HTML PDF
July	Gang Issues	HTML PDF
September	Civil Rights	HTML PDF

United States Attorneys' Manual, United States Attorneys' Bulletins, and United States Attorneys' Procedures

November Immigration Legal Initiatives [HTML](#) | [PDF](#)

2007

January Office of Enforcement Operations [HTML](#) | [PDF](#)

March Extraterritorial Issues [HTML](#) | [PDF](#)

May General Counsel's Office [HTML](#) | [PDF](#)

July Health Insurance Portability and Accountability Act [HTML](#) | [PDF](#)

September Money Laundering [HTML](#) | [PDF](#)

November Asset Forfeiture [HTML](#) | [PDF](#)

2006

January Office of Special Investigations [HTML](#) | [PDF](#)

March Automated Litigation Support [HTML](#) | [PDF](#)

May Gangs [HTML](#) | [PDF](#)

July Bankruptcy Reform Act I [HTML](#) | [PDF](#)

August Bankruptcy Reform Act II [HTML](#) | [PDF](#)

September Booker [HTML](#) | [PDF](#)

November Internet Pornography and Child Exploitation [HTML](#) | [PDF](#)

2005

January Social Security Fraud II [HTML](#) | [PDF](#)

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March	Financial Forensics I	HTML PDF
May	Financial Forensics II	HTML PDF
July	Intelligence Reform Act	HTML PDF
September	Health Care Fraud	HTML PDF
November	Employee Assistance Program	PDF

2004

January	Transportation and Terrorism	HTML PDF
March	Child Protection, Exploitation, and Obscenity	HTML PDF
May	Employment Discrimination	HTML PDF
July	First Responders	HTML PDF
September	Office of Justice Programs	HTML PDF
November	Social Security Fraud	HTML PDF

2003

January	Victim-Witness Issues	HTML PDF
March	Victim-Witness II	HTML PDF
May	Corporate Fraud I	HTML PDF
July	Terrorist Financing	HTML PDF
September	International Organized Crime	HTML PDF

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November Corporate Fraud II [HTML](#) | [PDF](#)

2002

January Project Safe Neighborhoods [HTML](#) | [PDF](#)

March Fraud in the Corporate Context [HTML](#) | [PDF](#)

May Anti-Terrorism [HTML](#) | [PDF](#)

July Civil Issues [HTML](#) | [PDF](#)

September Civil Issues II [HTML](#) | [PDF](#)

November Disability Rights [HTML](#) | [PDF](#)

2001

January Community Prosecution [HTML](#) | [PDF](#)

March Computer Crimes and Intellectual Property [HTML](#) | [PDF](#)

May Internet Fraud and Cybercrime [HTML](#) | [PDF](#)

July IRS Reorganization and Tax Prosecutions [HTML](#) | [PDF](#)

September Forensic Evidence [HTML](#) | [PDF](#)

November High Tech and Investment Fraud [HTML](#) | [PDF](#)

2000

February Natural Resources [HTML](#) | [PDF](#)

July Trial Advocacy [HTML](#) | [PDF](#)

United States Attorneys' Manual, United States Attorneys' Bulletins, and United States Attorneys' Procedures

September Trial Advocacy -- Jury Issues [HTML](#) | [PDF](#)

November Alternative Dispute Resolution [HTML](#) | [PDF](#)

1999

January Victims' Rights [HTML](#) | [PDF](#)

March Cumulative Index [PDF](#)

June Money Laundering [HTML](#) | [PDF](#)

August Bankruptcy [HTML](#) | [PDF](#)

December Environmental Issues [HTML](#) | [PDF](#)

1998

January Commendations

February Church Arsons and Hate Crimes [HTML](#) | [PDF](#)

April Tax Prosecutions [HTML](#) | [PDF](#)

July Untitled [HTML](#) | [PDF](#)

November Trial and Appellate [PDF](#)

1997

February Civil Issues [HTML](#) | [PDF](#)

April Health Care I [HTML](#) | [PDF](#)

June Health Care II [HTML](#) | [PDF](#)

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July	Commendations	PDF
September	Electronic Surveillance I	HTML PDF
November	Electronic Surveillance II	HTML PDF
1996		
February	Ethics and Professional Responsibility	PDF
April	Immigration Forum	HTML PDF
July	Trial Techniques I	HTML PDF
August	Trial Techniques II	HTML PDF
October	International Legal Issues	HTML PDF
December	International Extradition	HTML PDF

Disposition: PERMANENT. Cut off is December 31 of each calendar year. Accession to the National Archives and Records Administration within six months after cut off.

C. United States Attorneys' Procedures (USAPs)

Description of the records:

During the first quarter of FY2001, EOUSA worked with the Attorney General's Advisory Committee and the Administrative Officers' Working Group to establish a strong internal controls program to prevent fraud, waste, and abuse in EOUSA and USAOs. The development, publication, and maintenance of clear procedural guidance for the organization's most vulnerable operational areas represent an important aspect of that program. Previous guidance often contained contradictory or duplicative procedures. The first USAP was published electronically on May 01, 2002.

The original plan for USAPs was to remove procedural guidance from USAM, leaving USAM as a pure policy issuance. To date, this vision has not been realized. Current USAPs deal primarily with

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USAM Title 3 administrative management matters (such as personnel management, contracts, property management and supports services, etc.)

Numbering of USAPs corresponds to the numbering scheme used by the United States Attorneys' Manual to permit a link of the implementing procedures described in the USAP to its corresponding policy statement in USAM.

USAPs are updated as required by changing law, regulation, and/or policies. USAPs expire after one year and must be reviewed by the designated Point of Contact and certified current to remain posted on the active USAnet site. USAPs that have been replaced and/or updated are maintained in an electronic archive.

1. All USAPs except USAP 3-4.534.001: TEMPORARY. Review and update as required by current law, regulation and/or policy. Destroy all electronically archived copies 3 years from date of archive.

2. USAP 3-4.534.001, AD Pay Plan: TEMPORARY. Destroy 25 years after its published effective date.