

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER N1-129-99-10	DATE RECEIVED 2-19-99
1. FROM (Agency or establishment) Federal Bureau of Prisons		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION General Counsel and Review		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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			
4. NAME OF PERSON WITH WHOM TO CONFER Omar Herran	5 TELEPHONE (202) 514-2254	DATE 11-29-99	ARCHIVIST OF THE UNITED STATES WITHDRAWN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 <u>13</u> 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, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE 2-19-99	SIGNATURE OF AGENCY REPRESENTATIVE <i>Omar Herran</i>	TITLE <i>Information Mgmt. Officer</i>	
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	SEE ATTACHED <i>Withdrawn 11/29/99</i>		

**BUREAU OF PRISONS - OFFICE OF THE GENERAL COUNSEL
RECORDS DESCRIPTION AND PROPOSED DISPOSITIONS**

1. 'Board of Inquiry' File

Volume 5 linear feet (est)

Dates 1989 - present

A board of inquiry is convened at the death of an inmate, if the death was the result of a homicide or if the circumstances are unclear. The series includes memoranda appointing the board, noting the death, describing disciplinary actions and giving the finding, working papers and notes, copies of the report, copies of medical and psychological documents, and an action plan to correct problems

In addition, there are files relating to staff deaths, a file on Manuel Noreiga concerned with procedures for handling his telephone calls, and a file on Timothy McVeigh, as BOP was tangentially involved in the discovery process. The file includes correspondence and memoranda regarding pretrial security, and copies of attorney correspondence and court documents. Defense counsel also sent identical discovery letters to the General Counsel and the Director

NOTE: Material may be subject to restriction under exception (b)5 of the Freedom of Information Act

Disposition *PERMANENT. Transfer to the National Archives in 5-year blocks when most recent record is 30 years old. Earlier transfer is authorized.*

2. Chronological File

Volume 71 f (est)

Dates 1993 - present

Disposition *Temporary. Destroy when 5 years old.*

3. Director's Working Files

Volume 31 f (est)

Dates 1994 - present

Documentation reflecting standard operations of the office, such as personnel matters, awards, copies of the weekly report to the Attorney General, deputations for US Marshals, and affidavits

Disposition *Temporary. Destroy when 5 years old*

4. Executive Staff Meeting Reports

Volume 1051 f (est)

Dates 1975, 1989 - present

Records maintained in 3-ring binders documenting periodic meetings of the heads of Bureau components to discuss, coordinate, and approve or disapprove a wide range of management and administrative issues, from the death penalty to the use of nylon mesh bags in prison commissaries. Examples include statistics and supporting narrative from selected institutions on security, affirmative action, educational services, health services, inmate/staff ratio, per capita inmate cost, bilingual staff and staff/inmate demographics

Disposition *Temporary. Destroy when 10 years old.*

5. **Foreign Travel and Speeches**
Volume 41 f (est) Dates 1990 - present
Briefing books, reports, correspondence and memoranda relating to foreign contacts, and background material for speeches
Disposition *Temporary. Destroy when 5 years old*
6. **Meetings File**
Volume 51 f (est) Dates 1991 - present
Documentation from wardens' conferences and regional counsels' meetings comprise the bulk of the series. Sample topics include psychological records and FOIA, double jeopardy, training for USAs, designation of special AUSAs, serving process on inmates, use of the Federal Records Centers and strategic planning
Disposition *Temporary. Destroy when 10 years old.*
7. **Miscellaneous Reports**
Volume 51 f (est) Dates 1991 - present
Copies of documentation such as monthly reports from regional counsels, quarterly reports from the branches of OGC, semi-annual accomplishment reports, management assessments and program review guidelines
Disposition *Temporary. Destroy when 3 years old or when no longer needed for reference, whichever is later.*
8. **Quarterly Reports**
Volume less than one foot Dates 1991 - present
File consists largely of statistical information from the branches to OGC, the information is provided to the regional counsels, but is not sent to the Director. Sample topics include the number of EEO claims, by region, and the number, type and status of administrative remedies {prisoner complaints, OGC is the final appeal} [NOTE some but not all of this information comes from SENTRY. Source of remainder, and the ultimate locus of the information, also need to be determined]
Disposition *Temporary. Destroy when 5 years old.*
9. **Subject Files**
Volume 51 f (est) Dates 1991 - present
Correspondence, memoranda, reports, briefing papers, and published materials on topics such as administrative maximum detention, the death penalty, employee drug testing, privatization, the Religious Freedom Act and capacity planning
Disposition *PERMANENT. Transfer to the National Archives in 5-year blocks when most recent record is 30 years old. Earlier transfer is authorized.*

Bureau of Prisons - Office of General Counsel
Records Description and Proposed Dispositions

3

10. Tracked Correspondence

OGC's portion of 'deadline' correspondence, largely but not exclusively from Members of Congress, concerning such issues as inmate status, personnel and regulatory revision

Disposition *Temporary. Destroy when 5 years old*

11. Electronic Version of Records Created by the Electronic Mail and Word Processing Applications

Disposition *Temporary. Delete after the file copy is generated or when no longer needed for reference or updating.*

**BUREAU OF PRISONS - OFFICE OF THE GENERAL COUNSEL
ADMINISTRATIVE COMPLAINTS AND ETHICS BRANCH
RECORDS DESCRIPTION AND PROPOSED DISPOSITIONS**

- 12 **Controlled Correspondence**
Volume 3 cubic feet (est) Dates 1994-
Incoming correspondence assigned to the branch by the Executive Secretariat
Disposition *Temporary. Destroy when 5 years old*
- 13 **Ethics Opinions**
Volume 1 cubic foot Dates 1993-
Official responses to employee questions such as the solicitation of inmates for charitable causes, charitable fundraising for co-workers, copyright, future or outside employment, and holding of political office Series consists of the inquiry and response, records are maintained in 3-ring binders NOTE Material is subject to restriction under exception (b)6 of the Freedom of Information Act
Disposition *PERMANENT. Transfer to the National Archives in 5-year blocks when most recent record is 30 years old. Earlier transfer authorized.*
- 14 **Ethics Reference File**
Volume 3 cubic feet (est) Dates 1993-
Journal articles, memoranda, and other documentation maintained on subjects such as privatization, conflict of interest, and whistleblowers
Disposition *Temporary. Destroy when 10 years old or no longer needed for reference, whichever is sooner*
- 15 **Inmate Grievance Files**
Volume 180 cubic feet (est) Dates 1994-
Complaints brought by inmates regarding disciplinary actions and issues such as destruction of personal property and water temperature Complaints are initially filed with the warden, and may be appealed to the Regional Director and from there to Central Office
NOTE Material is subject to restriction under exception (b)6 of the Freedom of Information Act
Disposition *Temporary. Covered by NCI-129-83-7.*
- (a) Case files **Disposition** *Destroy when 3 years old.*
- (b) Indexes **Disposition** *Destroy when 20 years old. (Program Statement 1330.13, February 5, 1996.) The series has been indexed electronically since 1990 on SENTRY; manual indices exist for earlier files.*

**Bureau of Prisons - Office of the General Counsel, Administrative
Complaints and Ethics Branch, Records Description and Proposed Dispositions**

2

- 16 **Financial Disclosure Files**
Volume 7 cubic feet (est) Dates 1990-
Standard Forms 278 and 450, Financial Disclosure Reports and Annual Review and
Certification of Financial Disclosure, and copies of BOP's report to the Justice
Management Division NOTE Material is subject to restriction under exception (b)6 of
the Freedom of Information Act
Disposition *Temporary. SF 278 is covered by GRS 1/24 (6-year retention.) Recommend
identical retention for remaining material.*
- 17 **Outside Employment Requests**
Volume 2.5 cubic feet (est) Dates 1992-
Correspondence, memoranda and forms responding to employee inquiries regarding
outside employment within their field The last two years of the series are also available
electronically NOTE Material is subject to restriction under exception (b)6 of the
Freedom of Information Act
Disposition *Temporary. Destroy when 10 years old.*
- 18 **Outside Travel Requests**
Volume 5 cubic feet (est) Dates 1996-
Correspondence, memoranda and forms relating to employee requests to approve travel (to
speak at a conference, provide training, etc) that will be paid for by a private entity
Documentation is also available electronically NOTE Material is subject to restriction
under exception (b)6 of the Freedom of Information Act
Disposition *Temporary. Destroy when 10 years old.*
- 19 **Electronic Version of Records Created by the Electronic Mail and Word Processing
Applications**
Disposition *Temporary. Delete after the file copy is generated or when no longer needed
for reference or updating.*

**BUREAU OF PRISONS - OFFICE OF THE GENERAL COUNSEL
COMMERCIAL LAW BRANCH
RECORDS DESCRIPTION AND PROPOSED DISPOSITIONS**

- 20 **Case Files (aka Project Files)**
Volume. 40 cubic feet (est) Dates ca 1987-
The branch handles various legal issues for BOP, but does not file the resulting records separately. The largest categories are bid protests, adjudicated before GAO or a District Court, and contract claims, which are internal or before the Dept. of Transportation Board of Contract Appeals or the Court of Claims. The files typically include correspondence, memoranda, pleadings, rulings, and exhibits. The branch also reviews contracts for the agency and ratifies unauthorized procurements. Contract review generates only a tracking sheet and a form stating the reviewer's opinion as to the contract's legal sufficiency. Ratifications authorize funds for expenditures taken without proper documentation, as, for example, if an inmate is taken to a local hospital without prior arrangements. Records include the tracking sheet, authorization memo, and documents submitted by the institution.
Disposition *Temporary. Cut off upon close of case. Retire to Washington National Records Center (WNRC) when no longer needed for reference. Destroy 10 years after close of case.*
- 21 **Jurisdiction Files**
Volume 3 c f (est) Dates 1971-
The branch is responsible for determining whether the federal government will have exclusive jurisdiction over an institution (i.e., only federal laws shall apply), or whether jurisdiction will be shared between federal and state governments. Files consist of memoranda on individual institutions, plus memoranda and background information on the laws of various states.
Disposition *Temporary. Destroy 5 years after close of institution.*
- 22 **Land Files**
Volume 17 c f (est) Dates ca 1989-
The branch also handles the agency's acquisition of land for new institutions. The files consist largely of real estate-related material: correspondence with title insurance companies, and copies of appraisals and deeds.
Disposition *Temporary. Destroy 5 years after close of institution.*
23. **Subject Files**
Volume 23 c f (est) Dates 1974- (bulk 1993-)
Background material accumulated on topics of continuing interest to staff members. Documentation includes correspondence, memoranda, legal publications, reports, journal articles, and publications from other agencies. Topics include alternative dispute resolution, drug abuse act, Lorton takeover, new employee orientation, and GAO rules and regulations.

Disposition *Temporary. Screen file periodically to dispose of obsolete material. Destroy when no longer needed for reference.*

24 Tracking Systems

Electronic systems maintaining status information on cases CONTREV provides the contract and docket numbers, division involved, site, names of contracting officer and attorney. TRACCASE follows litigation, providing the relevant dates, amount claimed, body before which the case is being argued, and names of individuals involved In addition to names, dates and amounts, TRACRAT provides information as to the type of procurement for which authorization is requested, and TRACMISC picks up whatever requests fall outside the other categories

Disposition *Temporary. Delete in accordance with disposition of item 1.*

25 Electronic Version of Records Created by the Electronic Mail and Word Processing Applications

Disposition *Temporary. Delete after the file copy is generated or when no longer needed for reference or updating.*

**BUREAU OF PRISONS - OFFICE OF THE GENERAL COUNSEL
LABOR LAW BRANCH
RECORDS DESCRIPTION AND PROPOSED DISPOSITIONS**

- 26 **Controlled Correspondence**
Volume 5 cubic feet Dates 1995-
Incoming correspondence relating largely to BOP employment matters The great majority of the items were assigned to the branch by the Executive Secretariat
Disposition *Temporary. Destroy when 5 years old.*
- 27 **Correspondence Tracking System**
Electronic system providing status information on controlled correspondence Fields include control number, correspondent, subject matter, name of the responsible staff member, and dates
Disposition *Temporary. Delete in accordance with destruction of hard copy.*
- NOTE Material in the following items is subject to restriction under exemption (b)6 of the Freedom of Information Act
28. **Federal Labor Relations Act (FLRA) Case Files**
Volume 3 c f (est) Dates 1991-
Files include copies of the charge against the agency, the official complaint and answer thereto, correspondence with FLRB attorneys, notes on interviews, and the Administrative Law Judge's decision If the case is appealed, the file will contain the brief to the FLRB, and their judgment
Disposition *Temporary. Destroy 4 years after resolution of case.*
- 29 **Merit Systems Protection Board (MSPB) Case Files**
Volume 7 c f (est) Dates 1994-
Files consist of correspondence, memoranda, and copies of documentation such as notices, responses, complaints, and opinions and orders Copies of reference material from legal journals or *Westlaw* may also be included
Disposition *Temporary. Destroy 4 years after resolution of case.*
- 30 **Office of Special Counsel (OSC) Case Files**
Volume 2 c f (est) Dates 1994-
Files include correspondence, memoranda, notes to file, and the MSPB decision
Disposition *Temporary. Destroy 4 years after resolution of case.*
- 31 **Tracking Systems**
Identical electronic systems providing status information on the four case file series described above Fields include names of the complainant, receiving staff member, attorney to whom assigned, and relevant dates
Disposition *Temporary. Delete in accordance with destruction of hard copy.*

Bureau of Prisons - Office of General Counsel
Labor Law Branch, Records Description and Proposed Dispositions

2

32 Electronic Version of Records Created by the Electronic Mail and Word Processing Applications

Disposition *Temporary. Delete after the file copy is generated or when no longer needed for reference or updating.*

**BUREAU OF PRISONS - OFFICE OF THE GENERAL COUNSEL
LEGISLATIVE AND CORRECTIONAL ISSUES BRANCH
RECORDS DESCRIPTIONS AND PROPOSED DISPOSITIONS**

33. Compassionate Release Files

Volume 9 5 cubic feet (est)

Dates 1990-

This program was established in 1990, after the abolition of the Parole Commission, to provide for the early release of individuals with terminal illnesses. The files include the inmate's request, correspondence and memoranda from the probation officer and social worker regarding provisions for shelter and health care after release, copies of presentence reports, judgements and other court documents, medical summaries, psychosocial assessments, requests from the warden to the regional director and from the regional director to OGC, and the decision memorandum. NOTE: These records are subject to restriction under exemption (b)6 of the Freedom of Information Act (FOIA).

Disposition *Temporary. Cut off annually and retire to the Federal Records Center (FRC) when no longer needed for reference. Destroy 15 years after cutoff.*

34. Compassionate Release Tracking System

Dates 1990-

Electronic system which provides the current status of all requests. Fields include dates, the requester's name and location, the law violated, medical information, the Bureau's decision and date, and the court's action.

Disposition *Temporary. Delete in accordance with destruction of hard copy.*

35. Correspondence Files

Volume 4 cubic feet (est)

Dates 1990-

Documentation is largely related to inmate status, but also includes issues such as a proposed amicus filing and the Bureau's takeover of Lorton.

Disposition *Temporary. Destroy when 5 years old.*

36. Correspondence Tracking System.

Dates 1991-

Electronic system which provides the status of all incoming correspondence. Fields include tracking numbers, dates, correspondents' names, and an abstract line.

Disposition *Temporary. Delete in accordance with destruction of hard copy.*

37. Legislative Files

Volume 35 cubic feet (est)

Dates ca 1965-

Files compiled in the course of following legislation of interest to the Bureau, such as appropriations, authorizations, anti-drug abuse, property acquisition, crime control and tort reform. Documentation includes copies of legislation, correspondence and memoranda, notes and background information.

Disposition *Temporary. Destroy when eight years old or no longer needed for reference, whichever is later.*

38. Subject Files

Volume 36 cubic feet (est)

Dates ca 1975-

Material accumulated on issues of interest to the Bureau, such as Abortion Policy, the handling of female prisoners from the District of Columbia, and religion Documentation includes correspondence, memoranda, copies of BOP program statements, copies of legal publications, and copies of court documents and judicial decisions

Disposition *Temporary. Destroy when 10 years old or no longer needed for reference, whichever is later.*

39. [Tort Claims Files]

[Covered by N1-129-86-1]

40. Tort Information Management System

Dates: 1993-

Electronic system tracking status of claims filed by both inmates and employees Fields include tracking numbers, names, dates, location, type of incident, decision, and amounts

Disposition *Temporary. Delete in accordance with destruction of hard copy*

41. Electronic Version of Records Created by the Electronic Mail and Word Processing Applications

Disposition *Temporary. Delete after the file copy is generated or when no longer needed for reference or updating.*

**BUREAU OF PRISONS - OFFICE OF THE GENERAL COUNSEL
LITIGATION BRANCH
RECORDS DESCRIPTION AND PROPOSED DISPOSITIONS**

Litigation case files are covered by N1-129-88-2. The closed cases currently occupy 4 space-saver compartments in the branch's office space (est 80-100 cubic feet). The remaining files are described below.

42. Litigation Management System

Electronic system providing information on status of cases, including names of parties and attorneys, identification numbers, court and judge to which assigned, and dates of various actions. The system is currently being updated to encompass the regions. NOTE: Cases are actually tried by Assistant US Attorneys, BoP staff function as consultants or advisors.
Disposition *Temporary. Delete 5 years after close.*

43. Reference Files

Volume 2 cubic feet (est) Dates ca 1991 - present
Correspondence, memoranda, reports, publications and copies of court documents reflecting ongoing branch activities. Selected topics include compassionate release, the Americans with Disabilities Act, tort claims, privatization, and the status of FOIA litigation.
Disposition *Temporary. Destroy when 5 years old.*

44. Representation Requests

Electronic system tracking the status of 'representation requests,' which are the official system for removing an individual's name from a suit filed against the Bureau. As the Director or another high-ranking official is normally listed as the defendant, the representation request officially states their non-involvement in the matter and prevents any personal liability.
Disposition *Temporary. Delete 5 years after close.*

45. Tracked (Controlled) Correspondence

Volume 3 cubic feet (est) Dates ca 1992 - present
The branch's portion of correspondence assigned from the Executive Secretariat with a specified reply date, covering matters such as inmate status, requests for information, citizen complaints, and aspects of cases.
Disposition *Temporary. Destroy when 5 years old.*
NOTE: The branch formerly kept both chron and controlled files, as of last year they maintain only the latter. As the great bulk of material in the chron file was case-related, it is now filed there.

46. Electronic Version of Records Created by the Electronic Mail and Word Processing Applications

Disposition *Temporary. Delete after the file copy is generated or when no longer needed for reference or updating.*