

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: DAA-0582-2017-0005

Request for Records Disposition Authority

Records Schedule Number DAA-0582-2017-0005
Schedule Status Returned Without Action
Agency or Establishment Executive Office for Immigration Review
Record Group / Scheduling Group Records of the Executive Office for Immigration Review
Records Schedule applies to Major Subdivision
Major Subdivision Office of the Chief Administrative Hearing Officer (OCAHO)
Schedule Subject OCAHO Records
Internal agency concurrences will be provided No

Background Information The Executive Office for Immigration Review (EOIR) was created on January 9, 1983, through an internal Department of Justice (DOJ) reorganization which combined the Board of Immigration Appeals with the Immigration Judge function previously performed by the former Immigration and Naturalization Service. The Office of the Chief Administrative Hearing Officer (OCAHO) was added to EOIR in 1987 pursuant to regulations implementing the Immigration Reform and Control Act of 1986 (IRCA).

The primary mission of EOIR is to adjudicate immigration cases by fairly, expeditiously, and uniformly interpreting and administering the Nation's immigration laws. Under delegated authority from the Attorney General, EOIR conducts immigration court proceedings, appellate reviews, and administrative hearings. EOIR is accorded bureau level status for the administration of information and records management under Record Group 582.

OCAHO is one of three adjudicating components in EOIR. Administrative Law Judges (ALJs) in OCAHO hear and adjudicate cases arising under three specific provisions of the Immigration and Nationality Act (INA), as amended by IRCA, relating to: (1) knowingly hiring, recruiting or referring for a fee, or continuing to employ unauthorized aliens, failure to comply with employment eligibility verification requirements, and requiring indemnity bonds from employees in violation of section 274A of the INA ("employer sanctions"); (2) immigration-related unfair employment practices in violation of section 274B of the INA; and (3) immigration-related document fraud in violation of section 274C of the INA.

WITHDRAWN – RETURNED WITHOUT ACTION

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: DAA-0582-2017-0005

OCAHO's Chief Administrative Hearing Officer (CAHO) is responsible for the general supervision and management of OCAHO's ALJs, and exercises administrative review authority over decisions by the ALJs in cases under sections 274A and 274C of the INA.

OCAHO receives complaints alleging violations of sections 274A and 274C of the INA from the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE). OCAHO may receive complaints alleging violations of section 274B of the INA from the Immigrant and Employee Rights Section (IER) of the Civil Rights Division of DOJ or from private individuals or entities. OCAHO also receives requests for the issuance of investigatory subpoenas from IER.

Once a complaint or request for issuance of a subpoena is received, a case file is created. The official case file for each case includes the complaint and any answers, motions, prehearing statements, testimony, exhibits, or subpoenas filed, as well as all notices, orders, and decisions issued by the ALJ or CAHO in the case (including, in every case, a final decision and order). The files are media neutral with intent to become fully electronically maintained.

OCAHO also maintains a case management system database to track and manage case information and documents for cases before OCAHO. This case management system is currently the Automated Case Management System (ACMS), which is a relational database management system created in Microsoft Access 95 that has been migrated to Microsoft Office Access 2010. It is a desktop database application that runs under Windows 7. ACMS currently provides all of OCAHO's caseload information and is an automated research tool. OCAHO is replacing the access database which tracked cases with a web-based case management system.

Through the web-based system stakeholders will register, login, enter pertinent information and add new filings. This web-based system will provide OCAHO and parties in proceedings before OCAHO 24-hour access to filed documents over the Internet; automatic email notice of case activity; ability to download and print documents directly from the court system; concurrent access to case files by multiple parties and secure storage of documents. It will serve as the tool for case tracking and research within OCAHO. This schedule applies to current and successor case management systems.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
-----------------------------------	---------------------------------------	---------------------------------------	---------------------------------------

WITHDRAWN – RETURNED WITHOUT ACTION

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: DAA-0582-2017-0005

0	0	0	2
---	---	---	---

GAO Approval

WITHDRAWN – RETURNED WITHOUT ACTION

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: **DAA-0582-2017-0005**

Outline of Records Schedule Items for DAA-0582-2017-0005

Sequence Number	
1	Official Case Files Disposition Authority Number: DAA-0582-2017-0005-0001
2	OCAHO Case Management System Disposition Authority Number: DAA-0582-2017-0005-0002

WITHDRAWN – RETURNED WITHOUT ACTION

WITHDRAWN – RETURNED WITHOUT ACTION

Records Schedule Items

Sequence Number	
1	<p data-bbox="401 417 650 442">Official Case Files</p> <p data-bbox="401 470 1179 495">Disposition Authority Number DAA-0582-2017-0005-0001</p> <p data-bbox="401 523 1533 740">Case Files include names and addresses of the complainant, and respondents in a proceeding. Files also include the complaint or request for the issuance of a subpoena, any answers, prehearing statements, motions, testimony, exhibits, or other documents filed by parties, as well as all notices, orders, and decisions issued by the Chief Administrative Hearing Officer (CAHO) and Administrative Law Judge (ALJ) in the case.</p> <p data-bbox="401 761 954 787">Final Disposition Temporary</p> <p data-bbox="401 815 954 840">Item Status Withdrawn</p> <p data-bbox="401 868 860 893">Is this item media neutral? Yes</p> <p data-bbox="401 921 844 1038">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p data-bbox="401 1076 703 1102">Disposition Instruction</p> <p data-bbox="401 1129 1521 1155">Cutoff Instruction Cutoff annually after the issuance of a final decision.</p> <p data-bbox="401 1183 1215 1208">Retention Period Destroy 20 year(s) after cutoff</p> <p data-bbox="401 1257 703 1283">Additional Information</p> <p data-bbox="401 1310 987 1336">GAO Approval Not Required</p>
2	<p data-bbox="401 1368 897 1393">OCAHO Case Management System</p> <p data-bbox="401 1421 1179 1447">Disposition Authority Number DAA-0582-2017-0005-0002</p> <p data-bbox="401 1474 1533 1623">The Case Management System is an electronic information system that allows for the tracking of cases including parties and the decisions rendered on those cases. System data may include the names, addresses, and other identifying information for the complainant, respondent, and counsel for the complainant and respondent.</p> <p data-bbox="401 1644 954 1670">Final Disposition Permanent</p> <p data-bbox="401 1698 954 1723">Item Status Withdrawn</p> <p data-bbox="401 1751 860 1776">Is this item media neutral? Yes</p> <p data-bbox="401 1804 844 1921">Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p>

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: **DAA-0582-2017-0005**

Do any of the records covered by this item exist as structured electronic data? **Yes**

Disposition Instruction

Cutoff Instruction **Cutoff annually after the issuance of a final decision.**

Transfer Electronic Records to the National Archives for Pre-Accessioning **Transfer electronic records to the National Archives for pre-accessioning 20 year(s) after cutoff**

Transfer to the National Archives for Accessioning **Transfer to the National Archives between 10 year(s) and 15 year(s) after preaccessioning**

Additional Information

First year of records accumulation **1987**

What will be the date span of the initial transfer of records to the National Archives? **From 1987 To 2007**

How frequently will your agency transfer these records to the National Archives? **Every 5 Years**

	Estimated Current Volume	Annual Accumulation
Electronic/Digital	10 GB	1 GB
Paper		
Microform		
Hardcopy or Analog Special Media		

WITHDRAWN – RETURNED WITHOUT ACTION

WITHDRAWN – RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
Request for Records Disposition Authority

Records Schedule: DAA-0582-2017-0005

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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
04/21/2017	Certify	Cecelia Espenoza	Records Officer - Sr Assoc General Counsel	Executive Office for Immigration Review - Office of the General Counsel
07/07/2017	Return for Revision	Ashby Crowder	Archives Specialist	National Archives and Records Administration - ACRA
04/12/2018	Return Without Action	Ashby Crowder	Archives Specialist	National Archives and Records Administration - ACRA

WITHDRAWN – RETURNED WITHOUT ACTION