

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>N1-048-07-2</i>	
TO: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date Received <i>4/9/07</i>	
FROM: (Agency or establishment) Department of the Interior		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION Office of the Secretary		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request, including amendments, is approved except for items that may be marked "disposition not approved or "withdrawn" in column 10	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 Pamala Quallich	4. TELEPHONE NUMBER 202-208-3909	DATE <i>4/23/07</i>	ARCHIVIST OF THE UNITED STATES <i>Mr. Weaver</i>
5. AGENCY INFORMATION 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>Mar 20, 2007</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Pamala Quallich</i>		TITLE <i>OS Rec Ofc Ch Info Mgmt Br</i>
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1.	7500. Office of the Solicitor Files See Attached List of Record Descriptions and Requested Disposition Authorities.		

**The Department of the Interior,
Office of the Solicitor
Records Disposition Schedule
N1-048-07-02
(3/24/2008)**

7500 Office of the Solicitor Files – These files contain records pertaining to the Department of Interior, Office of the Solicitor (SOL) files. Documents primarily concern litigation proceedings that involve the Department of the Interior, legal advice given to DOI bureaus and offices, and the management of those offices. This records schedule applies to any Federal records received/created in any component within the Office of the Solicitor to include all divisions, field and regional offices.

7501 Litigation Files – These files contain records concerning administrative and judicial litigation involving the Department of Interior. Records include, but are not limited to: briefs, pleadings, decisions, correspondence, and other case-related information. Litigation files are classified as either permanent or temporary – all records concerning a given case must be classified the same. Litigation case files are not closed until a final decision has been rendered. A Final decision is the final action for that case, which may be final settlement, exhaustion or denial of appeal, and/or court decision. The final decision is determined by the laws and regulations governing the process.

7501(a) Litigation Files (Temporary) – This includes the majority of litigation files handled by the Office of the Solicitor. These files do not contain information deemed necessary by senior officials and NARA as necessary for permanent reference and retention. These are EEO, MSPB, and other litigation case files.

Disposition: **TEMPORARY**. Cut off files at close of calendar year in which final decision is made. Retire to Federal Records Center (FRC) within 1 year of cut-off. Destroy records 20 years after cut-off.

7501(b) Litigation Files– This includes documents pertaining to a particular case that are determined to be necessary for permanent retention by senior officials and NARA. These files contain information concerning historical and/or landmark decisions or high public profile made in cases that involve the intervention or interaction of the Office of the Solicitor.

Disposition: **PERMANENT**. Cut off files at close of calendar year in which final decision is made. Retire to Federal Records Center (FRC) within 1 year of cut-off. Transfer records to NARA 20 years after cut-off.

7502 Opinions – These files contain M Opinions and other signed legal opinions issued by the Solicitor or the Immediate Office of the Solicitor. These are determined to be of permanent value by senior management, generally including opinions that serve to make changes in procedures, to alter departmental practices, or to establish departmental law or rulemaking, or concerning legislative proposals or initiatives.

Disposition: **PERMANENT**. Cut off files at close of calendar year in which final opinion is issued. Retire to Federal Records Center (FRC) within 1 year of cut-off. Records may be sent to NARA 5 years after retired to FRC.

7503 Legal Advice Files – These files contain legal advice issued by officials in the Solicitor's Office on matters, financial transactions involving the Department and outside sources, and other routine advice, including those issued through surname files. Advice would be issued by the Associate Solicitor, Field and Regional Solicitors and SOL attorneys except for the Immediate office. Files do not include opinions that create major changes in procedure or departmental practices. [Files that lead to litigation will be covered under 7501 litigation files and all corresponding documents will be part of the litigation.]

Disposition: **TEMPORARY**. Cut off files at close of calendar year in which subject matter is resolved. Retire to Federal Records Center (FRC) within 1 year of cut-off. Delete/Destroy documents 5 years after cut-off.

7504 Program records – These consist of correspondence, memos, and other related documents for managing the program activities of the Divisions, field and regions. [Files that lead to litigation will be covered under item 7501 litigation files and all corresponding documents will be part of the litigation.]

Disposition: **TEMPORARY**. Cutoff at the end of the fiscal year. Destroy 7 years after cutoff.

7505 Solicitor's Subject Files – These files include documents received, generated, and maintained by the Solicitor, Deputy Solicitor and the Special Assistants of the Immediate Office and used for review, analysis, and policy development on matters of significance to the Office of the Solicitor. Included are correspondence, reports, copies of legal analyses and court documents, briefing papers, memoranda, summaries, email communications, and notes.

Disposition: **PERMANENT**. Cut off at end of the official's tenure. Retire records to the Federal Records Center (FRC) within 1 year of cut-off. Transfer documents to the National Archives 20 years after cut-off.

7506 Solicitor's Reading/Chronological files. These files include communication to and from the Solicitor, Deputy Solicitor and their special assistants on behalf of the Immediate Office.

Note: If these files include Trust records, then they will use disposition N1-048-07-03 item (i) IFT SOL Chronological files.

Disposition: **PERMANENT**. Cut off at end of the official's tenure. Retire records to the Federal Records Center (FRC) within 1 year of cut-off. Transfer documents to the National Archives 20 years after cut-off.

~~Disposition: **PERMANENT**. Cutoff at the completion of the final rule. Retire to offsite storage 1 year after cutoff. Transfer to the National Archives 5 years after cutoff.~~

7508 Claims records and civil penalties. These records consist of claims made by and against the government, organized by the claimant. Claims such as personal injury, property damage and other related records. These records consist of correspondence, memoranda, final administrative determination and other documents. [Claims files that lead to litigation will be covered under 7501 litigation files and all corresponding documents will be part of the litigation.]

Disposition: **TEMPORARY**. Cutoff at end of the fiscal year of the resolution of the claim or the collection of the penalty. Destroy 7 years after cutoff.

7509 Chronological/Reading files – Division, field and regional correspondence arranged by date and maintained for periodic review by staff members and as convenience files. These records consist of divisional chronological files that are maintained by the Divisions, Field and Regional levels.

(a) Records generated prior to the creation of centralized files. These records consist of divisional, field, and regional chronological files that are maintained at the Division's Associate Solicitor level.

Disposition. **TEMPORARY**. Cutoff at the end of the fiscal year. Retire to offsite storage in 4 year blocks. Destroy 20 years after cutoff.

(b) Records generated after the creation of centralized files. These records consist of divisional, field and regional chronological files. This does not include the Immediate Office, which is covered under item 7505.

Disposition. **TEMPORARY**. Cutoff at the end of the fiscal year. Retire to offsite storage. Destroy 5 years after cutoff.

7510 Land Case files. These records consist of appraisals, reports, copies of title evidence, correspondence, allotment decisions, and other related documents. [Files that lead to litigation will be covered under 7501 litigation files and all corresponding documents will be part of the litigation.]

Disposition: **TEMPORARY**. Cutoff at the resolution of the issue. Destroy 20 years after cutoff.