

OFFICE OF FOREIGN ASSETS CONTROL

COMPREHENSIVE RECORDS DISPOSITION SCHEDULE

This schedule excludes all administrative records which are covered by the National Archives and Records Administration General Records Schedules issued in 1998

BLOCKED ASSETS

Administers blocked foreign funds and property, conducts censuses of blocked assets, and coordinates certain aspects of multilateral sanctions implementation with foreign governments.

1) Holder/Claimant Files

Consists of reports by holders of blocked assets and reports of claims by U S persons

Disposition Temporary Retire to FRC 5 years after reconciliation Destroy 10 years after reconciliation

2) Censuses and Annual Reports of Blocked Assets and Claims

Censuses of blocked nation's assets and U S claims performed at various times for specific sanction programs, and annual reports, as required by law Records include completed hardcopy census report forms (TFRs) and Annual Reports of Blocked Property

Disposition Temporary Retire to FRC 10 years after completion of census or report Destroy 10 years after funds are unblocked These files shall be reviewed every 5 years to determine whether funds have been unblocked (Supersedes NC1-265-89-1, Item 1 and NC1-265-80-1, Items 5a1 and 5b1)

Note Electronic blocked assets data in RBASE is scheduled in the records of the Information Technology Division, and is permanent

3) Aggregated or Summary Reports of Blocked Assets and Claims

Printed summary reports and statistical surveys containing aggregated data relating to blocked assets Reports are requested by, and prepared for, the Congress, other Federal agencies, and foreign governments to document U S policy and actions, and to assist in the reconciliation of proposed claims This series also contains copies of memoranda, letters, and other background subject material documenting blocked assets issues

a Reports

Disposition PERMANENT Cut off file upon publication of report Transfer to National Archives 5 years after cut-off (Supersedes NC1-265-80-1, Item 5a2)

b Subject Files

Disposition Temporary Cut off annually Retire to FRC 10 years after cut-off Destroy 30 years after cut-off

CIVIL PENALTIES

Administers a civil monetary penalties program for violations of IEEPA, TWEA, and ISA and regulations thereunder

4) Civil Penalties Program Working Files

Working files such as notes, drafts, and other similar materials NOT maintained as part of the official file project, chronological file or subject file which (1) were circulated or made available to employees, other than the creator, for official purposes such as approval, comment, action, recommendation, follow-up, or to communicate with agency staff about agency business, and (2) DO NOT contain unique formulation and execution of policies, decisions or programs

Disposition Temporary Cut off when project is complete Maintain in office until no longer needed

Note: Working files that document policies, decisions, or programs where the working files themselves are essential to the understanding of the policies, decisions or programs should be filed with the appropriate case file

5) Civil Penalties Case Files

Correspondence, inter-office memoranda, facsimiles, reports and similar documents used to establish civil claims for suspected violation of statutes or regulations relative to financial, commercial or other transactions with sanctioned countries or individuals

Disposition Temporary Close hard copy case file after final penalty payment or OGC debt collection write-off Destroy on site 5 years after penalty payment or OGC authorization

Note Electronic civil penalties data in RBASE is scheduled in the records of the Information Technology Division, and is maintained for 5 years after penalty payment or debt collection

(Supersedes schedule NC1-265-80-1, Item 6)

6) Civil Penalties Guidelines

Procedures for the implementation of civil penalties for suspected violation of statutes or regulations relative to financial, commercial or other transactions with sanctioned countries or individuals

Disposition. Temporary Destroy when superceded, obsolete, or no longer needed for business purposes, whichever is later

7. ~~8~~) Financial Management Files

Accounting data and internal Departmental Office memoranda documenting deposits received for settlement of OFAC violations Includes copies of deposit slips, transmittals and Financial Management Division Accounting Daily Report

Disposition Temporary Keep until no longer needed for reference, not to exceed discontinuance of program

COMPLIANCE PROGRAMS

Serves as primary point-of-contact for the banking community, audits compliance by financial institutions and corporations, monitors adherence to the terms of licenses and blocking orders, and conducts public and private sector awareness programs to assure familiarity with requirements for compliance with the regulations

8 ~~6~~) Non-Government Organization (NGO) Registration Files

Incoming and outgoing correspondence related to NGO registration to engage in activities with sanctioned or embargoed countries

Disposition Temporary Cut off annually Close after program is lifted Destroy 5 years after program termination

9 ~~9~~) Compliance Program Guidelines

Directives, procedures and other guidance used to audit financial institutions, monitor adherence to licenses and conduct public and private sector awareness

Disposition Temporary Destroy when superceded, obsolete, or no longer needed for business purposes, whichever is later

10) Blocking and Reject Reports

Reports received from financial institutions documenting blocked or rejected transactions pursuant to OFAC regulations

a) Blocked Transactions

Disposition Temporary Cut off annually Transfer to FRC 5 years after cut-off Destroy 1 year after end of sanction program

b) Rejected Transactions

Disposition Temporary Cut off annually Destroy 5 years after cut-off

11) Compliance Files

Files documenting all Compliance Division programs that regulate activities with sanctioned or embargoed countries Includes incoming and outgoing correspondence, conference information, brochures developed by division, actions taken and all other related data

a Case Files

Disposition Temporary Close after sanction or embargo program is lifted Destroy 5 years after program has been lifted

b Non-Case Files

Disposition Temporary Destroy when 3 years old or when no longer needed for reference, whichever is later

12) Classified Cables and Documents

Cables and related documents classified due to their informational content

Disposition Temporary Cut off annually Destroy when 2 years old or when no longer needed for administrative purposes, whichever is later

ENFORCEMENT

Coordinates overall enforcement of sanctions programs by making direct referrals to Customs for criminal investigations, providing technical advice and assistance to Customs agents and inspectors and AUSAs concerning suspected OFAC violations, and administratively pursuing non-criminal cases for civil penalty consideration

13) Enforcement Case Files

Investigative reports of suspected or actual violations of statutes and regulations administered and enforced by the OFAC relative to financial, commercial or other transactions with targeted foreign countries, entities, or individuals

a Closed cases resulting in no criminal prosecution or administrative action

Disposition Temporary Review annually Destroy 5 years from date of last entry in file (Supercedes N1-265-79-1; Item 1a)

b Cases resulting in administrative action

Disposition Temporary Cut off annually Close after last administrative action or judicial review Retire to FRC 2 years after date of closing Destroy upon lifting of embargo or sanction program (Supercedes N1-265-79-1, Item 1b)

c Cases resulting in criminal prosecution

Disposition Temporary Close after last administrative action Retire to FRC 2 years after date of closing Destroy upon lifting of embargo or sanction program (Supercedes N1-265-79-1, Item 1b)

FOREIGN TERRORIST DIVISION

14) Evidentiary Files (Unclassified and Classified)

Memoranda, reports, correspondence and related research data used to place persons or entities on Specially Designated Global Terrorist List or other terrorism-related lists, including supporting exhibits whether financially or materially supporting designated entities, acting for or on behalf of designated entities, owned or controlled by designated entities, or other statutorily proscribed terrorism-related activity falling under OFAC's area of responsibility In addition to containing information regarding the financial infrastructure and fundraising mechanisms of terrorist groups, these files contain information on the evolution, structure, leadership, goals, and operations of identified terrorist individuals and organizations

Disposition PERMANENT Cut off upon lifting of sanction program to which the evidentiary file corresponds Retire to FRC 1 year after cut-off date Transfer to National Archives 10 years after cut-off

15) Removal Petition Files (Unclassified and Classified)

Correspondence received from sanctioned parties requesting removal from the Specially Designated Global Terrorist List or other terrorism-related lists Includes petition, research findings, and agency actions pursuant to request

Disposition PERMANENT Cut off file upon lifting of sanction program to which the file pertains Retire to FRC 1 year after cut-off date Transfer to National Archives 10 years after cut-off

16) Investigation Files (Unclassified and Classified)

All-source information used in the pursuit of a designation of an entity or organization as a Specially Designated Global Terrorist (SDGT) If the investigation results in a formal designation, the file becomes an Evidentiary File

Disposition Temporary Cut off file when no longer needed for analytical or administrative purposes or when investigation is completed, as applicable Destroy on-site 1 year after cut-off date

17) Talking Points and Briefing Papers (Classified and Unclassified)

Documents related to sanction programs and activities received by OFAC from other agencies or prepared for internal OFAC use, other government agencies, senior government officials, Congress, and the President as policy and program guidance or as a portion of a larger document or other product Some materials are CLASSIFIED and/or LAW ENFORCEMENT SENSITIVE

Disposition TEMPORARY Cut off file after termination of the sanction program to which the file is related Destroy on-site 1 year after cut off

INFORMATION TECHNOLOGY

18) RBASE Information System

The RBASE Information System is a relational database used to administer and enforce economic and trade sanctions against targeted foreign countries, entities and individuals RBASE utilizes tables, reports and forms in grouping and managing data entered into the system Data input is a sub-set of information maintained in official paper record files Access is provided to authorized users via specific databases in the following OFAC divisions Blocked Assets, Enforcement, Civil Penalties, International Programs, Licensing, Compliance, Policy and Planning, and Records Each division uses the system to facilitate their mission objective

Inclusive Dates 1950 to present

Bulk Dates 1995 to present

Restrictions Authorized Staff Only

a Inputs

Information taken from civil penalties, enforcement, investigative, and evidentiary case files, bank reports, travel manifests, and license application files

Disposition Disposition is provided in, but not limited to, schedule items 2, 5, 8, 10, 11, 13-16, 19-22, 28-32, 35 and 37 of this schedule Refer to specific schedule item for final disposition of RBASE input records

b Master File

Data extracted from civil penalties, enforcement, investigative and evidentiary case files, bank reports, travel manifests and licenses System contains records dating back to 1950 relating to blocked assets Most records date from 1995 to present

1 Blocked Assets Tables and Blocked Assets Archives Tables

The blocked assets portion of the RBASE Information System contains those fields documenting property blocked or funds retained in accordance with OFAC economic sanctions programs. Data elements and/or table columns include program code, bank name and address, POC and holder's name and address, license number, report references, calculation references, date of blocking transaction, amount of blocked transaction, type of transaction, and explanation of other pertinent details regarding the block.

Disposition PERMANENT Transfer both a complete and public access version annually to the National Archives at close of calendar year in accordance with 36 CFR 1228.270. Retain agency copy on line ten years or until no longer needed for business purposes, whichever is longer. Maintain off-line for 10 years after lifting of embargo or sanction program. (Supercedes NC1-265-80-01, Item 5b2)

2 Civil Penalties Table

The civil penalties portion of the RBASE Information System contains those fields documenting civil claims violations and payment of assessed penalties. Data elements and/or table columns include penalty file case number, case name, status information, program code, pertinent dates, amount of penalty assessed, amount of penalty paid, and other comments regarding the status of the case.

Disposition Temporary Delete 5 years after penalty payment or debt collection.

3 All Other Tables

Disposition Temporary Retain on line ten years or until no longer needed for business purposes, whichever is longer. Maintain off-line for 10 years after lifting of embargo or sanction program.

c Outputs

Statistical, management and ad hoc reports, tables, forms, screens of information, licenses, rulings and interpretations.

1 Electronic Copy

Disposition Temporary Delete after record-keeping copy is produced or when no longer needed for administrative purposes, whichever is later.

2 Record keeping Copy (Paper)

Disposition Disposition is provided in, but not limited to, schedule items 2, 5, 8, 10, 11, 13-16, 19-22, 28-32, 35 and 37 of this schedule Refer to specific schedule item for final disposition of RBASE output records

d System Documentation

- 1 Includes system and file specifications, record layouts, and codebooks relating to permanent blocked assets data in Item 18b1 of this schedule

Disposition PERMANENT Transfer one copy with each annual transfer of blocked assets data to the National Archives in accordance with 36 CFR 1228 270

- 2 All other system documentation

Disposition Temporary Maintain agency copy of system documentation for the life of the system Destroy 3 years after supersession or obsolescence

INTERNATIONAL PROGRAMS

Administers the Specially Designated Nationals Program, coordinates multilateral enforcement matters with foreign governments, and coordinates intelligence matters

19) Evidentiary Files (Unclassified and Classified)

Memoranda and related data used to place persons on Specially Designated Nationals (SDN) and Blocked Persons List, includes supporting exhibits

Disposition PERMANENT Cut off file upon lifting of sanction program to which the evidentiary file corresponds Retire to FRC 1 year after cut-off date Transfer to National Archives 10 years after cut-off

20) Removal Petition Files (Unclassified)

Correspondence received from sanctioned parties requesting removal from the Specially Designated Nationals and Blocked Persons list Includes petition, research findings, and agency actions pursuant to request

Disposition PERMANENT Cut off file upon lifting of sanction program to which the file pertains Retire to FRC 1 year after cut-off date Transfer to National Archives 10 years after cut-off

21) Investigation Files (Unclassified and Classified)

Information used in pursuit of a designation of an entity as a Specially Designated National (SDN) or Blocked Person. If the investigation is fully successful, the file becomes an Evidentiary File. All materials are LAW ENFORCEMENT SENSITIVE and some are CLASSIFIED.

Disposition: Temporary. Cut off file when no longer needed for analytical or administrative purposes or when investigation is completed, as applicable. Destroy on-site 1 year after cut-off date.

22) Verification Files (Unclassified and Classified)

Information related to individuals and entities considered suspicious, usually in context of a financial transaction or a license application, warranting further verification by the Division to determine whether the individual or entity is a Special Designated National or Blocked Person. Contains CLASSIFIED and/or LAW ENFORCEMENT SENSITIVE documents.

Disposition: Temporary. Cut off file upon termination of the sanction program to which the verification files correspond. Destroy on-site 1 year after cut-off.

23) Policy, Plans, Talking Points and Briefing Papers

Documents related to sanctions programs received by OFAC from other agencies or prepared for internal OFAC use, other government agencies, senior government officials, Congress, and the President as policy and program guidance or as a portion of a larger document or other product. Some materials are CLASSIFIED and/or LAW ENFORCEMENT SENSITIVE.

Disposition: Temporary. Cut off file after termination of the sanction program to which the file is related. Destroy on-site 1 year after cut-off.

24) Legislative Materials

Documents related to potential, proposed, or enacted legislation impacting U.S. economic sanctions program administered by OFAC, as well as copies of congressional letters received during the development of the legislation. Some materials are CLASSIFIED and/or LAW ENFORCEMENT SENSITIVE.

Disposition: Temporary. Cut off when legislation is passed and enacted into law, or rejected by the Congress. Destroy on-site 2 years after cut-off.

25) Reports

Input from other U.S. government agencies, notes from meetings, drafts and final reports to Congress and/or the President as required by law. Some materials are CLASSIFIED.

a. Final Report

Disposition: PERMANENT. Cut off file upon publication of report. Transfer to the National Archives 5 years after cut-off.

b. Background Material

Disposition: Temporary. Destroy 1 year after publication of final report.

LICENSING

Makes determinations on requests for licenses and provides guidance with respect to transactions authorized by general license.

26.) Licensing Division Policy Files

Guidance, directives, legal opinions and other documents pertaining to OFAC licensing operations.

Disposition: Temporary. Maintain until superseded or embargo is lifted, whichever is later

27.) Licensing Program Working Files

Working files such as notes, drafts, and other similar materials NOT maintained as part of the official file project, chronological file or subject file which: (1) were circulated or made available to employees, other than the creator, for official purposes such as approval, comment, action, recommendation, follow-up, or to communicate with agency staff about agency business; and (2) DO NOT contain unique formulation and execution of policies, decisions or programs.

Disposition: Temporary. Cut off when project is complete. Maintain in office until no longer needed.

Note: Working files that document policies, decisions, or programs where the working files themselves are essential to the understanding of the policies, decisions or programs should be filed with the appropriate policy or case file.

28.) Cuba Travel Program

License files authorizing travel to Cuba in the following categories:

a. Family Visits

Licenses permitting persons to visit close relatives.

Disposition: Temporary. Cut off files annually Destroy on site 1 year after cut off.

b. Institutional

Licenses issued to educational institutions and religious organizations for specific activities

Disposition Temporary. Cut off files annually Destroy on site 5 years after date of issuance.

c. Travel Service Providers

Licenses and reports permitting travel agencies and charter operations to transport persons to Cuba from the U S Files include enforcement data, meeting information, compliance data, audit information and other related documentation.

Disposition: Temporary. Retain for the life of the program Review and destroy 2 years after the life of the program.

d All Other Travelers

Licenses issued to persons to engage in activities not authorized in items 28a, 28b and 28c

Disposition: Temporary Cut off files annually. Destroy 5 years after cut off.

e. Travel Declaration Cards - (Miami Office)

Cards completed at the time of travel to Cuba for verification of person's identity The U.S Customs Service may use information for investigative purposes, if necessary Cards used for this auxiliary purpose are transferred to such files.

Disposition. Temporary. Cut off files annually. Destroy on site 1 year after cut off

29.) Cuba Subtrade Licenses

Licenses issued to U S. companies and their international subsidiaries to engage in trade activities with Cuba. This program was initiated in 1975 and closed in 1992. Statistics for the number of licenses issued were compiled into summary reports

Disposition: Temporary Destroy upon approval of this schedule

Note Any new program involving the licensing of U.S companies would not require the use of these records.

30.) Cuban Blocked Assets Files

Correspondence and licensing files pertaining to inherited property and other assets of a Cuban national which are frozen and upon which transactions must be authorized by OFAC licensing.

Disposition: Temporary. Retain on site until claims settlement process is completed at end of embargo. Retire to FRC upon completion of claims settlement process. Destroy 10 years after completion of claims settlement process.

31) Cuban Telecom Licenses

Licenses, compliance reports and related documentation authorizing voice and data transmission between the U S and Cuba

Disposition Temporary Close file after embargo is lifted and retire to FRC Destroy 2 years after embargo is lifted

32) Blocked Electronic Funds Transfers

Licensing applications pertaining to blocked funds transfers at financial institutions

1 Cuba

a Denials

Disposition Temporary Cut off annually Retire to FRC 2 years after cut off Destroy 2 years after program is lifted

b Approved

Disposition Temporary Destroy on-site 1 year after cut-off

2 All Other Programs

a Denials

Disposition Temporary Cut off annually Retire to FRC 2 years after cut off Destroy 2 years after program is lifted

b Approved

Disposition Temporary Destroy on-site 1 year after cut-off

33) All Other Licensing Program Files

Correspondence, reports, and other documents regulating the licensing of financial, commercial or other transactions with blocked or embargoed countries

Disposition Temporary Retain on site until embargo or sanction with country is lifted Retire to FRC after embargo is lifted Destroy 5 years after embargo is lifted (Supercedes schedule NC1-265-80-1, Item 3)

POLICY PLANNING & PROGRAM MANAGEMENT

Executes statutory requirements, directs program planning and evaluation, performs policy analysis, and coordinates interoffice and interagency implementation.

34.) Policy Planning and Management Program Records

Consists of Presidential documents such as executive orders, messages to Congress and notices of emergency continuation (annual) for authority to implement economic sanctions and trade embargoes against foreign governments, entities and individuals acting for or on behalf of sanctioned governments. Includes regulations and guidance laws pursuant to the President's constitutional executive and foreign policy authorities.

Disposition: Temporary. Keep until no longer needed for reference not to exceed discontinuance of program.

35.) Cuban/Soviet Nickel Project Files

Licensing files for the importation of Soviet and/or Russian primary nickel bearing products otherwise prohibited under Cuban regulations. This program was initiated in 1987 and terminated in 1994.

Disposition: Temporary. Immediately destroy upon approval of this schedule.

36.) Legislative Files

Pending and enacting legislation affecting OFAC operations.

Disposition: Temporary. Destroy when no longer needed for reference.

RECORDS DIVISION

37) Sanction Programs Correspondence Files

Correspondence files for sanction programs consist of 2 subseries, correspondence and subject files. Correspondence files, arranged by name of correspondent, contain all incoming and outgoing correspondence in which OFAC has provided opinions, advice or authorizations to engage in certain activities. Subject files consist of incoming and outgoing letters and memorandums between government agencies and within OFAC.

a) Correspondence Files

Disposition: Temporary. Cut off annually. Destroy on site when 5 years old.

b) Subject Files

1. Significant Subjects

Disposition: PERMANENT. Cut off annually Transfer to National Archives 10 years after country becomes unblocked based on selective criteria.*

*Subject Files Selective Criteria

- Highlight policy and procedures
- Documents legal opinions, rulings or interpretations affecting OFAC mission and activities
- Congressional or judicial reports on OFAC operations and procedures

2 All Other Subjects Files

Disposition: Temporary. Cut off annually. Destroy on-site 10 years after country becomes unblocked

(Supercedes N1-265-80-01, Items 1a and 1b)

38.) Finding Aids to Correspondence Files

Paper index cards, dating to 1995, used as finding aids to correspondence/subject files scheduled under Item 37 of this schedule.

a Correspondence Files

Disposition: Temporary. Destroy when corresponding files cited in Item 37a are destroyed

b. Subject Files

Disposition: Temporary Destroy 10 years after country becomes unblocked.

(Supercedes NC1-265-80-01, Items 2a and 2b)

NOTE: Electronic indexing data in RBASE since 1995 for correspondence/subject files is scheduled in the records of the Information Technology Division under Item 18b3

39.) Compliance Division Correspondence Files

Correspondence documenting Compliance actions and activities that do not require the creation of a project or case file. Includes electronic fund transfer requests returned without action, documentation of responses made via telephone, and facsimiles authorizing release of blocked funds.

Disposition: Temporary. Cut off annually Destroy on-site 2 years after cut-off

40) Electronic Mail and Word Processing System Copies

Electronic copies of records created on electronic mail and word processing or other electronic systems and used solely to generate a record keeping copy of the records covered by the other items on this schedule. Also includes electronic copies of records created on electronic mail and word processing and other electronic systems that are maintained for updating, revision, or dissemination. This definition excludes printed or electronically stored copies of electronic mail messages or printed entries from an office's automated matter tracking systems insofar as such entries or messages are recordkeeping copies of substantive legal work.

- a Copies having no further administrative value after the recordkeeping copy has been produced - including copies maintained by individuals in personal files, personal electronic files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy

Disposition Temporary Break after recordkeeping copy has been produced
Destroy/delete within 180 days after the recordkeeping copy has been produced

- b Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy

Disposition Temporary Break upon completion of dissemination, revision, or updating of information
Destroy/delete when dissemination, revision, or updating is completed