

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b> (See Instructions on reverse)		<b>LEAVE BLANK (NARA use only)</b>	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER 71-056-02-45	
1. FROM (Agency or establishment) Department of the Treasury		DATE RECEIVED 8-30-2002	
2. MAJOR SUBDIVISION Office of General Counsel		NOTIFICATION TO AGENCY	
3. MINOR SUBDIVISION Office of General Counsel		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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	5. TELEPHONE	DATE	ARCHIVIST OF THE UNITED STATES
Steve Millne/Veronica Marco	622-1889		WITHDRAWN 5/5/03

**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 \_\_\_\_\_ 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,

is not required;  is attached; or  has been requested.

DATE	SIGNATURE OF AGENCY REPRESENTATIVE	TITLE
08/26/2002	<i>Veronica Marco</i>	Chief, Records Management Branch and Departmental Records Officer

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	Department of the Treasury Office of General Counsel  The records covered by this SF-115 include the Office of the General Counsel and all offices under the direction of the Office of General Counsel.  See attached.		Job Withdrawn 5/5/03

*cc Agency*

**Department of the Treasury  
Office of the General Counsel**

**Note: This schedule supercedes Job Nos. N1-056-95-1 and NC1-056-78-6 (Items 1-3, 5-11)**

**Records series common to the offices of the:**

**GENERAL COUNSEL  
DEPUTY GENERAL COUNSEL  
ASSOCIATE DEPUTY GENERAL COUNSEL  
SENIOR ADVISOR TO THE GENERAL COUNSEL  
SPECIAL ASSISTANT TO THE GENERAL COUNSEL**

**1. Attorney Working Files**

Records include drafts, notes, and memoranda, as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate official file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any record-keeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

**[Supercedes NC1-56-78-6, Item 10]**

**2. Document Production Records**

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Destroy on site 5 years after the underlying investigation or litigation is concluded.

**[New]**

**3. 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.

[New]

## **COUNSELOR TO THE GENERAL COUNSEL**

### **4. Attorney Working Files**

Records include drafts, notes, and memoranda, as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate official file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any record-keeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

[Supersedes NC1-56-78-6, Item 10]

### **5. Document Production Records**

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Destroy on site 5 years after the underlying investigation or litigation is concluded.

[New]

## 6. General Counsel Memoranda

Official copies of interpretative memoranda, called "Memorandum." Arranged numerically and usually addressed to an individual other than high Treasury officials. Includes "Index."

Disposition: PERMANENT: Break files annually. Convert to microfiche as appropriate. Hold original microfiche on site until data is copied to digital storage method. Transfer original microfiche to National Archives after 30 years, with index, or when digital copy has been made, whichever is sooner.

[Supercedes NC1-56-78, Item 2]

## 7. General Counsel Opinions

Official copies of interpretations, called "Opinions." Arranged numerically and usually addressed to senior officials. Includes "Index."

Disposition: PERMANENT: Break files annually. Hold on site for 30 years. Transfer to NARA after holding period, with index.

[Supercedes NC1-56-78-6, Item 1]

## 8. General Counsel's Tracking System

An electronic database that tracks and routes incoming correspondence and action memoranda.

**Disposition:** Temporary. Break by calendar year. Delete when 2 years old or when no longer needed for administrative purposes, whichever is later. [NOTE: The recordkeeping copy of these files is maintained and scheduled in the appropriate Departmental Office.]

[New]

## 9. Legal Matter/Litigation Files

Records include:

- . Memoranda or correspondence providing legal opinions, interpretations, advice, and related information on matters falling within the activities and operations of the Department of the Treasury, senior officials, and Treasury's bureaus.
- . Materials pertaining to review and/or clearance of documents prepared in other offices of the Department or other agencies.
- . Documents prepared outside the office relating to the legal work product created within the office without which the legal work product would be incomplete, e.g., requests for legal opinions, interpretations, or advice; or commentaries on, or responses to, opinions, interpretations, or advice.
- . Pleadings, judgements, and correspondence on any judicial or administrative

litigation or claim involving the United States, the Department of the Treasury, a Treasury bureau, or an official of the Department or bureau in which the office significantly assists with the matter.

- a. Legal work product files containing **significant precedential** legal opinions, analyses, conclusions, advice or interpretations; policy-making decisions; documentation of major activities of the Office of the General Counsel. Criteria to include records relating to cases that result in court decisions that significantly interpret statutes and regulations; cases that are heard by the appellate courts or the Supreme Court; cases that are deemed to be significant for investigative or litigation procedures or other important precedent; cases that attract national news media attention; and cases resulting in a congressional investigation.

Disposition: PERMANENT. Break files after the legal work product is completed. Screen files before transfer to eliminate any extraneous or duplicate material.

Transfer to the Washington National Records Center (WNRC) 2 years after break. Transfer to NARA 20 years after break.

- b. Legal matters and legal work product files that are **routine** in nature and do not have significant precedential or historic value.

Disposition: Temporary. Break files after the legal work product is completed. Destroy 3 years after break or when no longer needed for convenience of reference, whichever is later.

[New]

## 10. Litigation Tracking System

An electronic database used by the Office of the Counselor to the General Counsel for tracking the litigation caseload and status.

Disposition: Temporary. Delete information from system 1 year after case/assignment is closed/completed, or when no longer needed for administrative purposes, whichever is later.

[New]

## 11. Legislative Files

Legislation, testimony, and reports mandated by Congress on programs within the purview of the Department or drafted within the Department; legislation, testimony, and Congressionally mandated reports referred to the Department for comment, opinions, interpretations and advice on matters related to legislation as presented or intended for presentation to the Congress. e.g., (copies of draft bills, reports, analyses, and correspondence with sponsors and other interested Departments or parties and related indexes); and specifications for legislative proposals, or non-record duplicate copies of

documents prepared outside the office that are received by attorneys in the office for information or legal review. Legislative files include associated tracking and filing systems in whatever form or format. This term also includes testimony given by the General Counsel and material initiated or generated by Treasury, providing evidence of decisions, functions, policies, procedures, operations or other activities of the government.

Disposition: Temporary. Break files at the end of each Congress. Destroy/Delete 20 years after break. Transfer textual records to WNRC after break, or as volume warrants.

[Supercedes N1-56-95-1, Item 7]

## **12. Regulatory Files**

Files pertaining to regulations as addressed within the Office of the General Counsel's duties and responsibilities.

Disposition: Temporary. Break files annually. Destroy on site when 2 years old or no longer needed for administrative purposes, whichever is later.

[New]

## **13. Regulatory Tracking System**

An electronic database used by the Office of the Counselor to the General Counsel to track regulations, with capability for updates and word searches.

Disposition: Temporary. Delete information from system when obsolete no longer needed for administrative purposes, whichever is later.

[New]

## **14. Significant Cases Web Site**

An electronic data base (intranet) providing centralized information on the status of, and upcoming events relating to, pending litigation designated as significant by Treasury bureaus.

Disposition: Temporary. Delete when no longer needed for legal, fiscal or historical use.

[New]

## **15. 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 mail 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 is completed.

[New]

**OFFICE OF THE ASSISTANT GENERAL COUNSEL  
(BANKING AND FINANCE)**

**16. Attorney Working Files**

Records include drafts, notes, and memoranda, created in the office, as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate legal matter file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any record-keeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

[New]

**17. Document Production Records**

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Destroy on site 5 years after the underlying investigation or litigation is concluded.

[New]

## 18. Financial Transaction Files

Records include executed original counterparts of documents of a financial transactions involving the Department of the Treasury, a bureau, or the Federal Financing Bank, such as promissory notes, agreements, leases, assignments, as well as supporting certificates and opinions of counsel.

Disposition: Temporary. Break files after the particular financial transaction has closed (i.e. funding began). Transfer to the WNRC 1 year after break or when no longer needed for current business or convenience of reference, whichever is later. Prior to transfer to WNRC destruction date must be specified, which shall be calculated as one year after the particular financial transaction has terminated (i.e. funding repaid or compromised).

[New]

## 19. Legal Matter Files

NOTE: For the purposes of this office, the term "Legal Matter Files" means all completed legal work product created within the office, including:

- . Memoranda or correspondence providing legal opinions, interpretations, advice, and related information on matters falling within the activities and operations of the Department of the Treasury, senior officials, and Treasury's bureaus, or the Federal Financing Bank.
- . Legislative proposals and written analytical materials on legislative proposals.
- . Copies of pleadings, judgements, and correspondence on any judicial or administrative litigation or claim involving the United States, the Department of the Treasury, a Treasury bureau, the Federal Financing Bank, or an official of the Department , bureau or the Bank in which the office significantly assists with the matter.
- . Materials pertaining to review and/or clearance of documents prepared in other offices of the Department or other agencies.
- . Documents prepared outside the office relating to the legal work product created within the office without which the legal work product would be incomplete, e.g., requests for legal opinions, interpretations, or advice; or commentaries on, or responses to, opinions, interpretations, or advice.

Records exclude: legal work product that has become a public record, routine administrative records, and non-record duplicate copies of completed legal work product maintained for convenience of reference.

- a. Completed legal matter files having **significant precedential or historic value**. Criteria



to include unique records relating to cases that result in court decisions that significantly interpret statutes and regulations; cases that are heard by the Supreme Court; cases that are deemed to be significant for investigative or litigation procedures or other important precedent; cases resulting in significant policy-making decisions; cases that attract national news media attention; and cases resulting in a Congressional investigation.

Disposition: PERMANENT. Break files after legal work product is completed. Screen files before transfer to eliminate any extraneous or duplicate material. Transfer to the Washington National Records Center (WNRC) 1 year after break or when no longer needed for current agency business or convenience of reference, whichever is later. Transfer to NARA 20 years after file break.

- b. Completed legal matter files that are **routine** in nature and do not have significant precedential or historic value.

Disposition: Temporary. Break files after legal work product is completed. Destroy 3 years after break or when no longer needed for convenience of reference, whichever is later.

[New]

## 20. 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 mail 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 is completed.

[New]

**OFFICE OF THE ASSISTANT GENERAL COUNSEL  
(ENFORCEMENT)**

**21. Attorney Working Files**

Records include drafts, notes, and memoranda as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate official file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any record-keeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

[Supersedes NC1-56-78-6, Item 10]

**22. Document Production Records**

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Transfer to the WNRC 1 year after break. Destroy 5 years after the underlying investigation or litigation is concluded.

[New]

**23. Legal Matter Files**

**Note:** For the purposes of this office, the term "Legal Matter Files" means all legal matter files tracked in the Matter Management System in this office, including:

- Memoranda or correspondence providing legal opinions, interpretations, advice, and related information on matters falling within the activities and operations of the Department of the Treasury, senior officials, Treasury's bureaus.
- Copies of pleadings, judgements, and correspondence on any judicial or administrative litigation or claim involving the United States, the Department of the Treasury, a Treasury bureau, or an official of the Department, bureau in which the office significantly assists with the matter.

- . Materials pertaining to review and/or clearance of documents prepared in other offices of the Department or other agencies.
- . Documents prepared outside the office relating to the legal work product created within the office without which the legal work product would be incomplete, e.g., requests for legal opinions, interpretations, or advice; or commentaries on, or responses to, opinions, interpretations, or advice.
- a. Completed legal matter files having **significant precedential or historic value**. Criteria to include unique records relating to cases that result in court decisions that significantly interpret statutes and regulations; cases that are heard by the Supreme Court; cases that are deemed to be significant for investigative or litigation procedures or other important precedent; cases resulting in significant policy-making decisions; cases that attract national news media attention; and cases resulting in a Congressional investigation.

Disposition: PERMANENT. Break files after legal work product is completed. Screen files before transfer to eliminate any extraneous or duplicate material. Transfer to the Washington National Records Center (WNRC) 1 year after break or when no longer needed for current agency business or convenience of reference, whichever is later. Transfer to NARA 20 years after file break.

- b. Completed legal matter files that are **routine** in nature and do not have significant precedential or historic value.

Disposition: Temporary. Break files after legal work product is completed. Transfer to The Washington National Records Center (WNRC) 1 year after break. Destroy 3 years after break or when no longer needed for convenience of reference, whichever is later.

[New]

#### 24. Matter Management Tracking System

An electronic database used by the Office of the Assistant General Counsel for Enforcement for tracking the litigation caseload and status.

Disposition: Temporary. Delete information from system 1 year after case/assignment is closed/completed, or when no longer needed for administrative purposes, whichever is later.

[New]

#### 25. 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 mail 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 to the recordkeeping copy.

Disposition: Temporary. Break upon completion of dissemination, revision, or updating is completed.

[New]

**Office of the Assistant General Counsel  
(General Law and Ethics)**

**26. Attorney Working Files**

Records include drafts, notes, and memoranda, as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate official file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any recordkeeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

[Supercedes NC1-56-78-6, Item 10]

**27. Document Production Records**

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Destroy on site 5 years after the underlying investigation or litigation is concluded.

[New]

## 28. Legal Matter Files

Records include:

- . Memoranda or correspondence providing legal opinions, interpretations, advice, and related information on matters falling within the activities and operations of the Department of the Treasury, senior officials, and Treasury's bureaus.
- . Materials pertaining to review and/or clearance of documents prepared in other offices of the Department or other agencies.
- . Documents prepared outside the office relating to the legal work product created within the office without which the legal work product would be incomplete, e.g., requests for legal opinions, interpretations, or advice; or commentaries on, or responses to, opinions, interpretations, or advice.

### a. Transitory Files

Routine concurrence/approval which require no administrative action, no policy decision, and no special compilation or research for reply.

Disposition: Temporary. Destroy when 3 month old.

### b. Routine Files

Legal matter files of a routine nature pertaining to procurement, personnel, labor, travel, and transportation.

Disposition. Temporary. Destroy when 2 years old.

### c. Noteworthy Files

Legal matter files designated by the office as noteworthy but containing no historical value.

Disposition. Temporary. Break files when case is closed. Transfer to Washington National Records Center (WNRC) 1 year after break. Destroy 20 years after break.

[New]

## 29. Litigation Files

Copies of pleadings, judgements, and correspondence on any judicial or administrative litigation or claim involving the United States, the Department of the Treasury, a Treasury bureau, or an official of the Department or bureau in which the office significantly assists with the matter. Litigation files contain legal analysis, decisions or interpretations; and documentation regarding policy-making decisions.

### a. Routine Files

Legal matter files of a routine nature pertaining to procurement, personnel, labor, travel, and transportation.

Disposition. Temporary. Destroy when 2 years old.

### b. Noteworthy Files

Litigation files designated by the office as noteworthy but containing no historical value.

Disposition. Temporary. Break files when case is closed. Transfer to Washington National Records Center (WNRC) 1 year after break. Destroy 20 years after break.

[Supersedes NC1-56-78-6, Item 5]

## 30. Senior Counsel for Ethics Files

Records maintained by the Senior Counsel for Ethics relating to ethics, standards of conduct, and financial disclosures, and which are not included in the category "Legal Matters File" (**All records pertaining to ethics, standard of conduct, and financial disclosure, containing significant or precedential analysis, conclusions, advice or interpretations are included in that category.**)

Excludes all records maintained by the Senior Counsel for Ethics that are covered by a General Records Schedule

Disposition: Temporary. Break files when case is closed. Destroy on site when no longer needed for reference or current agency business, whichever is later.

[New]

## 31. File Tracking System Documents

Documents identifying files opened in Legal Matters and Litigation Files in the office of the Assistant General Counsel (General Law and Ethics), opening and closing dates, and the attorney to whom the matter is assigned. The summary information in the master database includes the following fields: Case Number, Case Type, Client Office, Data Open, Date Due, Date Closed, Date Inactive, Other ID# and Events.

Disposition: Temporary. Delete information from system 1 year after case/assignment is closed/completed, or when no longer needed for index reference, see below, whichever is later.

[New]

### 32. 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 mail 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 is completed.

[New]

### Office of the Assistant General Counsel (International Affairs)

#### 33. Attorney Working Files

Records include drafts, notes, and memoranda, as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate official file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any recordkeeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

[Supercedes NC1-56-78-6, Item 10]

### 34. Document Production Records

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Destroy on site 5 years after the underlying investigation or litigation is concluded.

[New]

### 35. Central Files

Central files records include:

- . Memoranda or correspondence providing legal opinions, interpretations, advice, and related information on matters falling within the activities and operations of the Department of the Treasury, senior officials, and Treasury's bureaus.
  - . Legislative proposals and written analytical materials on legislative proposals.
  - . Copies of pleadings, judgements, and correspondence on any judicial or administrative litigation or claim involving the United States, the Department of the Treasury, a Treasury bureau, or an official of the Department or bureau in which the office significantly assists with the matter.
  - . Materials pertaining to review and/or clearance of documents prepared in other offices of the Department or other agencies.
  - . Documents prepared outside the office relating to the legal work product created within the office without which the legal work product would be incomplete, e.g., requests for legal opinions, interpretations, or advice; or commentaries on, or responses to, opinions, interpretations, or advice.
- a. Completed legal matter files having **significant precedential or historic value**. Criteria to include unique records relating to cases that result in court decisions that significantly interpret statutes and regulations; cases that are heard by the Supreme Court; cases that are deemed to be significant for investigative or litigation procedures or other important precedent; cases resulting in significant policy-making decisions; cases that attract national news media attention; and cases resulting in a Congressional investigation.

Disposition: PERMANENT. Break files after legal work product is completed. Transfer to the Washington National Records Center (WNRC) 1 year after break or when no longer needed for current agency business or convenience of reference, whichever is later. Transfer to NARA 20 years after file break.



- b. Completed legal matter files that are **routine** in nature and do not have significant precedential or historic value.

Disposition: Temporary. Break files after legal work product is completed. Destroy 3 years after break or when no longer needed for convenience of reference, whichever is later.

[New]

### **36. 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.

[New]

### **Office of Chief Counsel, Foreign Assets Control**

#### **37. Attorney Working Files**

Records include drafts, notes, and memoranda, as well as background material and reference copies of documents collected by attorneys. Recordkeeping copies of completed legal work product created by attorneys in the office are placed in the appropriate official file.

Disposition: Temporary. Break files after the legal work product is completed. Screen attorney working papers before destruction and transfer any recordkeeping material to appropriate official file. Destroy on site when no longer needed for current agency business or convenience of reference, whichever is later.

[Supercedes NC1-56-78-6, Item 10]

### 38. Central Subject Matter File

Office of Foreign Assets Control (OFAC) interpretative rulings; sanctions program-specific background materials and memoranda organized by topic; legislative history materials; chronological correspondence files; etc. These records are central subject matter files arranged primarily by sanctions program and specific sup-topic.

- a. Legal matters files containing **significant or precedential** legal analysis, conclusions, advice or interpretations, pertain to significant policy-making decisions; document major activities of the of the Office of Chief Counsel, Office of Foreign Assets Control.

Disposition: PERMANENT. Break files by calendar year or when matter is completed, whichever is later. Screen files before transfer to eliminate any extraneous or duplicate material. Transfer to WNRC within 1 year after break or when no longer needed for current business or convenience of reference, whichever is later. Transfer to NARA 20 years after break.

- b. Legal matters and legal work product files that are **routine** in nature and do not have historic value.

Disposition. Temporary. Destroy 3 years after matter is completed, or when no longer needed for reference or business needs.

[New]

### 39. Document Production Records

Records that were responsive to major or significant production requests, search memoranda, transmittal and other related correspondence, and documents produced for discovery.

Disposition: Temporary. Break files when production request is completed. Transfer to WNRC 1 year after break. Destroy 5 years after the underlying investigation or litigation is concluded.

[New]

### 40. Legislative Files

Legislative files that do not provide evidence of the decisions, functions, policies, procedures, operations or other activities of the Government, or otherwise are not significant nor merit

permanent retention. Files relating to proposed legislation as presented or intended for presentation to the Congress; includes draft bills, reports, analyses and correspondence with sponsors and other interested Departments or parties and related indexes.

Disposition: Temporary. Break files when legislation is passed or terminated. Destroy on site when no longer needed for business purposes.

[New]

#### **41. Litigation Files**

Consists of court pleadings; correspondence; memoranda; court rulings and decisions; and related documents. Litigation documents that do not have significant precedential or historic value or are not otherwise significant or merit permanent retention.

Disposition: Temporary. Break files after litigation is terminated. Destroy 2 years after break or when no longer needed for administrative purposes, whichever is later.

[Supercedes NC1-56-78-6, Item 5]

#### **42. Specific Sanctions Program Files**

Copies of legislation; Executive Orders; U.N. Security Council resolutions; implementing regulations; background information; official interpretative memoranda and legal opinions; correspondence; program binder. The files are sanctions program-specific materials compiled in the course of implementing the program and used by the attorneys on a daily or frequent basis.

Disposition: Temporary. Break files after the termination of the sanctions program. Maintain on site for 10 years. Transfer to WNRC 15 years after break. Destroy 25 years after break.

[New]

#### **43. 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 mail 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 to the recordkeeping copy.

Disposition: Temporary. Break upon completion of dissemination, revision, or updating is completed.

[New]