

Request for Records Disposition Authority

(See Instructions on reverse)

To: **National Archives and Records Administration (NIR)**
Washington, DC 20408

1 From (Agency or establishment)
Office of the Comptroller of the Currency

2 Major Subdivision

3 Minor Subdivision

4 Name of Person with whom to confer
Sherry D. Smith

5 Telephone (include area code)
202-874-5035

Leave Blank (NARA Use Only)

Job Number

N1-101-05-1

Date Received

May 31, 2005

Notification to Agency

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10

Date

5/26/05

Archivist of the United States

[Signature]

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 18 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 has been requested

Signature of Agency Representative

Sherry Smith

Title

OCC Records Management Officer

Date (mm/dd/yyyy)

5/26/05

7 Item Number	8 Description of Item and Proposed Disposition	9 GRS or Superseded Job Citation	10 Action taken (NARA Use Only)
7	<p>The OCC Comprehensive Records Retention Schedule is the authority to dispose of OCC program records that are specific to the agency. This schedule does not include records covered by a General Records Schedule.</p> <p>This schedule applies to all formats and media in which records are created and maintained at the OCC, including paper, microfilm, and electronic records. Every effort will be made to transfer permanent records to NARA electronically in accordance with NARA standards applicable at the time of transfer. If the transfer of records in electronic format is not feasible, NARA and the OCC will negotiate, prior to transfer, alternative media, formats, and/or physical arrangement that meet the needs for continued preservation and use.</p> <p>Attachments: OCC Comprehensive Records Retention Schedule</p>	<p>NARA submission N1-101-90-2, approved by the Archivist of the United States on October 28, 1994, N1-101-94-1, approved February 4, 1997, and N1-101-97-3, approved on July 23, 1997. Note that N1-101-01-1, approved June 26, 2001, partially superseded N1-101-94-1.</p>	

cc Agency, NR, NWMD, NWME, NWMA

The OCC Comprehensive Records Retention Schedule (May 26, 2005)

The OCC Comprehensive Records Retention Schedule is the authority to dispose of OCC program records that are specific to the agency. This schedule does not include records covered by a General Records Schedule.

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This schedule replaces the NARA submissions N1-101-90-2, approved by the Archivist of the United States on October 28, 1994, N1-101-94-1, approved on February 4, 1997, and N1-101-97-3, approved on July 23, 1997. Also note that N1-101-01-1, approved on June 26, 2001 partially superseded N1-101-94-1.

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1. Official Files of OCC Offices

1.1 Official Files of the Comptroller of the Currency and the Executive Committee.

Official records copies of documents including correspondence, reports and related background materials (copies of incoming memorandums, comments and drafts, and similar documents) of the Comptroller and member of the Executive Committee and their assistants. These records include subject files which contain correspondence, reports, forms and other materials relating to activities and functions, as well as, project files which document the inception, scope, findings and accomplishments of specific projects. These records include documents submitted for review and/or approval with notes to the file made by the Comptroller, members of the Executive Committee and their assistants.

Disposition:

- a. Records relating to the primary mission of the OCC and documenting the policies, programs and organizational structure to fulfill the primary mission

PERMANENT. Cut off subject files at the close of the CY. Close project file when project is completed and file with that year's subject file. Hold three years or until volume warrants and transfer to FRC. Transfer to National Archives (NARA) in five-year blocks when thirty years old.
- b. Records of a routine or nonpolicy nature, and all files not covered by "a" above.

Cut off subject files at the close of the CY. Close project file when project is completed and file with that year's subject file. Hold three years or until volume warrants and transfer to FRC. Destroy when seven years old.
- c. Working files (see 1.4).

1.2 Official Files of OCC Offices.

Official record copies of documents, including correspondence, reports, memorandums, significant comments and drafts, and other related records pertaining to the administration and operation of the OCC organizational offices components subordinate to the Comptroller and the Executive Committee. These records include subject files that contain correspondence, reports, forms and other materials relating to activities and functions, as well as, project files which document the inception, scope, findings and accomplishments of specific projects.

Included are all deputy comptrollers, the deputy chief counsels, department and division heads and all district deputy comptrollers, district counsels, assistant deputy comptrollers and Large Bank EIC's.

Disposition:

- a. Records relating to the primary mission of the OCC and documenting the policies, programs and organizational structure to fulfill the primary mission.

PERMANENT. Cut off subject files at the close of the CY. Close project file when project is completed and file with that year's subject file. Hold three years or until volume warrants and transfer to FRC. Transfer to NARA when thirty years old.

- b. Program records of a nonpolicy nature and records documenting policies of administrative units and functions.

Cut off subject files at the close of the CY. Close project file when project is completed and file with that year's subject file. Hold three years or until volume warrants and transfer to FRC. Destroy when fifteen years old.

- c. Records used in conducting the OCC's routine business.

Cut off subject files at the close of the CY. Close project file when project is completed and file with that year's subject file. Hold three years or until volume warrants and transfer to FRC. Destroy when seven years old.

- d. Working Files (see 1.4).

1.3 Precedent Files

Precedential opinions issued by an OCC office describing policies and procedures for applications throughout OCC. Precedent files include correspondence and related documents providing opinions, interpretations, rulings and advice on OCC programs and operations.

Disposition:

PERMANENT. Cut off at the end of the CY. Hold three years or until volume warrants and transfer to the FRC. Transfer to NARA when thirty years old.

1.4 Working Files

Working files such as notes, drafts and other similar materials NOT maintained as part of the official files project 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) contain unique substantive annotations or comments,

that add to a proper understanding of the OCC's formulation and execution of policies, decisions or programs.

Disposition:

Cut off at end of CY or when project is complete. Hold one year or until volume warrants and transfer to the FRC. Destroy when three years old.

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. Files with the appropriate project or subject file.

1.5 Transitory Files

Documents of short-term interests that have no documentary or evidential value. Examples include routine requests for information or publications, letters of transmittal that add no additional information, evidence collected but not used as part of a case and drafts which contain editorial or minor substantive changes.

Disposition:

Destroy when no longer needed, not to exceed three years.

1.6 Schedule of Daily Activities

Official calendars, appointment books, schedules, logs, diaries and other records documenting meetings, appointments, telephone calls, trips, visits and other activities while serving in official capacity, created and maintained in hard copy or electronic form, EXCLUDING materials determined to be personal.

Disposition.

a. Records relating to the official activities of the Comptroller of the Currency.

PERMANENT. Break file upon departure of the incumbent Comptroller. Offer to NARA when thirty years old. Records not containing substantive information may be destroyed during archival processing without further notice to the OCC.

b. Senior Deputy Comptrollers and Chief Counsel

(1) Records containing substantive information relating to the official activities of the Senior Deputy Comptroller and Chief Counsel, the substance of which have not been incorporated into official files.

Destroy or delete when seven years old.

- (2) Records containing substantive information relating to the official activities of the Senior Deputy Comptrollers and Chief Counsel, the substance of which have been incorporated into organized files.

Destroy or delete when no longer needed.

c. Other OCC Employees (GRS 23, Item 5)

Calendars, appointment books, schedules, logs, diaries and other records documenting meetings, appointments, telephone calls, trips, visits and other activities by Federal employees while serving in an official capacity, created and maintained in hard copy or electronic form, EXCLUDING materials determined to be personal.

- (1) Records containing substantive information relating to official activities, the substance of which has not been incorporated into official files, EXCLUDING records relating to the official activities of high government officials.

Destroy or delete when two years old.

- (2) Records documenting routine activities containing no substantive information and records containing substantive information, the substance of which has been incorporated into organized files.

Destroy or delete when no longer needed.

1.7 Historical Files (to be scheduled separately)

2. Bank Administration and Legal Records

2.1 Corporate History Files

The charter, the Articles of Association of a bank and the letters of approval or disapproval, and other decision documents of corporate applications and activities of a national bank or bank related institution. Not included are records relating to branches and CBCT's.

Disposition:

Hold in the central records repository while the bank is active. Transfer to the inactive bank case file (2.5) when the bank becomes inactive.

2.2 Corporate (Licensing) Files

Applications and OCC files documenting decisions relating to the organization and structure of a national bank or bank related institution and corporate activities described in 12 CFR 5.

Disposition:

- (a) Active Banks (except for Branch and CBCT Applications prior to 1991)

Hold five years and transfer to FRC. Destroy when thirty years old.

- (b) Branch and CBCT Applications prior to 1991.

- (1) Applications 1985-90.

Hold five years and transfer to the FRC. Destroy when thirty years old.

- (2) Applications begun prior to 1985.

Transferred to the FRC in 1985. Destroy on January 31, 2015.
(Accession #101-88-0044)

- (c) Inactive Banks

Transfer records on-site to the inactive bank case file. (2.5)

- (d) Rejected, Abandoned, or Withdrawn Applications for Corporate Activities (bank charters, branch and CBCT applications and pre-examination working papers)

Hold for one year after date of rejection/abandonment/withdrawal and transfer to FRC. Destroy when fifteen years old.

2.3 Records of Supervisory Activities

Records of supervisory activities by the Comptroller of the Currency staff evaluating the safety and soundness of national banks, bank related institutions and ~~electronic~~ *technologic* ~~data processing (EDP) services~~, compliance activities, the quality of their management and the identification of those areas where corrective action is required to improve performance and to ensure compliance with applicable laws, rulings and regulations.

Included are Reports of Examination, administrative actions, correspondence, and other similar records relating to national banks and other regulated entities. (Does not include bank examination working papers, which are covered in section 2.4).

Disposition:

- (a) Active Banks, Bank Related Institutions and ~~EDP Services~~. *TSPs*.

Cut off at the close of the CY. Hold three years or until volume warrants and transfer to FRC. Destroy when thirty years old.

- (b) Inactive Banks and Bank Related Institutions.

Transfer records on-site to inactive bank case file. (2.5)

- (c) Inactive ~~EDP Services~~. *TSPs*.

Transfer on-site records to the FRC when one year old. Destroy when eleven years old

- (d) Special Case Files. Records relating to the supervision of a specific national bank or specific banks which are identified by the records officer in consultation with program staff and/or the agency historian as precedential or important for preservation for historical purposes.

PERMANENT. Hold until conclusion of the activity or until volume warrants and transfer to FRC. Transfer to NARA when thirty years old.

2.4 Bank Examination Working Papers

Documentation of the procedures followed and the conclusions reached during the examination of a national bank, ~~EDP services~~ *TSP* or federal branch or agency. These paper include, but are not necessarily limited to, the examination and verification on

Service providers (TSP)

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programs, memoranda, schedules, analyses prepared or obtained by examiners to support the information and conclusions contained in the related supervisory activity.

Disposition:

- a. Active Banks and ~~EDP Services~~ *TSPs.*
- (1) Full scope examinations.
- Cut off at the end of the examination. Retain the working papers for a minimum of three years of completed examination activities. Destroy when no longer needed for supervisory, including legal and enforcement purposes.
- (2) Specialty examinations.
- Cut off at the end of the examination. Retain the working papers for the last two completed examinations and until they are a minimum of three years old. Destroy when no longer needed for supervisory, including legal and enforcement purposes.
- b. Inactive Banks.
- (1) Banks which become inactive through merger into, purchase and assumption by or consolidation with a national bank.
- (a) When bank becomes inactive, transfer to the working papers of the active bank those working papers from the inactive bank needed for supervisory purposes.
- (b) Transfer working papers not covered by (a) to the FRC. Destroy eleven years after the bank becomes inactive.
- (2) All other inactive banks.
- Transfer to the FRC when the bank becomes inactive. Destroy eleven years after the bank becomes inactive.
- c. Federal Branches or Agencies
- (1) Active Federal Branches or Agencies Apply provisions of "a. Active Banks," above.
- (2) Inactive Federal Branches or Agencies.

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- (a) Federal branches or agencies which become inactive through consolidation: apply provisions of b (1) above.
- (b) All other inactive Federal branches or agencies: apply provisions of b (2) above.

d. Inactive ~~EDP Servicers~~ *TSPs*,

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- (1) ~~EDP Servicers~~ *TSPs* which no longer service financial institutions. Transfer working papers to the FRC. Destroy eleven years after the servicer becomes inactive.
- (2) ~~EDP Servicers~~ *TSPs* which no longer service national banks but continue to serve other types of financial institutions. Transfer working papers to the appropriate regulatory agency.

2.5 Inactive Bank Case Files

Records stored on-site relating to national banks and bank related institutions which become inactive, including the Corporate History File (2.1), corporate applications (2.2), collective investment fund file (2.13) and supervisory records (2.3) (excluding bank examination working papers and closing books). (See 2.16)

Disposition:

PERMANENT. Transfer to FRC as inactive bank case files when one year old or when volume warrants. Transfer to NARA 30 years after bank becomes inactive.

Note: Records which are sent to the FRC prior to the bank or bank related institution going inactive should not be reclassified as part of 2.5.

2.6 Litigation Case Files

Files consist of depositions, court pleadings, correspondence, memoranda, studies, appraisals, court decisions and similar documents relating to litigation cases.

Disposition:

Transfer case file to the FRC after termination or when volume warrants
Destroy fifteen years after termination of action.

2.7 Enforcement Case Files

Files consist of referrals, supporting documentation, correspondence, memoranda, analysis, matrixes, legal pleadings and similar documents relating to enforcement actions.

Disposition:

Transfer case file to the FRC upon issuance of the final document which closes out the case (i.e., supervisory letter of reprimand, stipulation and consent order, final order of assessment following an administrative hearing or other written communication which closes out the case). Destroy fifteen years after case is closed.

2.8 Administrative Hearing Files

Case file accumulated in documenting litigated enforcement proceedings including, but not limited to, hearing transcripts, legal briefs and affidavits.

Disposition:

PERMANENT Transfer to FRC after settlement has been reached through negotiation, termination of the hearing and if civil money penalties assessed are collected. Transfer to NARA when thirty years old.

2.9 Securities Disclosure Filings

Disposition:

(a) Filings made under 12 CFR Part 11.

PERMANENT. Cut off at close of the CY. Hold three years or until volume warrants and transfer to FRC. Transfer to NARA when thirty years old

(b) Filings made under 12 CFR 5.33(b)(6)(ii) and 12 CFR Part 16, including merger proxy and information statements, offering circulars and documents; and notices of non-public offerings.

(1) Active Banks. Cut off at the close of the CY. Hold three years or until volume warrants and transfer to the FRC. Destroy when thirty years old.

(2) Inactive Banks.

Cut off at the close of the CY. Transfer last three years files to the inactive bank case file (2.5)

2.10 Annual Oaths of National Bank Directors

Records of the Oaths of National Bank Directors completed annually. (This disposition does not apply to the first Oaths of National Bank Directors that are included as a part of the Corporate Licensing File).

Disposition:

Cut off at the close of the CY. Hold one year and transfer to the FRC.
Destroy when ten years old.

2.11 Consumer Files

General correspondence relating to specific complaints of individual consumers or organizations and to the other consumer activities, including CRA comments and related materials.

Disposition:

Cut off at the close of the CY and transfer to FRC. Destroy when five years old.

2.12 Criminal Referral Forms – OCC NO LONGER COLLECTS THESE FORMS

OMB Form 1557-0069, Criminal Referral Forms (Short Form and Long Form) filed by financial institutions or by OCC staff.

Disposition:

Cut off at the close of the CY. Hold two years or until volume warrants and transfer to FRC. Destroy when ten years old.

2.13 Collective Investment Fund Files - OCC NO LONGER COLLECTS THESE FORMS.

Records pertaining to the collective investment and reinvestment of funds held by the bank as fiduciary. Included are Collective Investment Fund plans, letters of approval, change in plans and related correspondence not found elsewhere.

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Disposition:

a. National Banks (active and inactive).

(1) Records through 1991.

Cut off and transfer to FRC. Destroy in 2022.

(2) Records after 1991.

Cut off every ten years and transfer to FRC Destroy thirty years after transfer to FRC.

b. State Banks

Cut off at the close of the CY Transfer to FRC. Destroy when thirty years old

2.14 Country Exposure Reports

Quarterly reports providing information, by country, of foreign claims held by U S Banks and bank holding companies. Banks must have claims exceeding at least \$30 million.

Disposition:

Cut off at the close of the CY. Hold one year and transfer to FRC Destroy when ten years old.

2.15 Investment Securities

Records relating to the purchase, sale, dealing in, underwriting and holding of investment securities by national banks pursuant to 12 CFR 1, and to securities dealers pursuant to 12 CFR 10, MSR rules and the Government Securities Act, and transfer agent registration files pursuant to Securities Exchange Act of 1934, 12 CFR 4-20.

Disposition:

a. Records through 1990.

Transfer to FRC. Destroy in 2021.

b. Records after 1990.

Cut off at the close of the CY. Transfer to FRC. Destroy when thirty years old

c. Transfer Agent Registration Files (TA-1 Forms)
Cut off upon deregistration of agent, At close of CY or when volume warrant transfer to the FRC. Destroy when 30 years old.

2.16 Closing Banks ~~Banks~~ ~~Backs~~

Records relating to the closing of failed banks and bank related institutions

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PERMANENT. Transfer to the FRC in three-year blocks. Transfer to NARA thirty years after cutoff in three-year blocks.

3. Operational Records

3.1 Manuals, Publications and Information Files

A complete set of formal information releases and publications issued through the Communications Division. Included is a copy of each publication, manual, handbook, issuance, news release or official speech and any available indexes.

Disposition:

PERMANENT. Cut off collection at the close of the CY. Transfer to the FRC. Transfer to NARA when thirty years old.

3.2 Delegation of Authority Files

A complete set of program and administrative delegations of authority (continuing) and revocation of those authorities.

Disposition:

- a. Washington. Record copy maintained on-site.

Place in an inactive file upon supersession or revocation. Destroy when no longer needed for legal, supervisory or administrative use.

- b. Other offices.

Destroy when superseded, obsolete or no longer needed for reference purposes.

3.3 OCC Lease Files

Files documenting the lease of OCC office space

Disposition:

- a. Washington records copy.

Transfer to FRC when obsolete or superseded. Destroy eight years after supersession or obsolescence.

- b. Other offices.

Destroy five years after supersession or obsolescence, or when no longer needed for administrative purposes, whichever is earlier.

3.4 Agency-Developed Training Materials

Official record copies of training materials developed by the unit responsible for agency-wide training.

Disposition

a. Course materials (manual, syllabus, textbook and other training material) for precommission and commissioned bank examiners.

(1) Schools taught in 1994.

PERMANENT. Transfer to the NARA at the close of the calendar year 1994.

(2) Materials created in 1995 and beyond.

(a) Materials for new courses or courses that reflect major revisions to course content

PERMANENT Transfer to the NARA at close of calendar year in which created.

(b) All other materials.

Destroy when superseded or obsolete.

b. Course materials for all other OCC training programs.

Destroy when superseded or obsolete

c. Course catalog produced annually by the training office.

PERMANENT. Transfer to NARA in five-year blocks when five years old

3.5 Uniform Commission Examination (UCE) Files

Official record copies of documents related to the Uniform Commission Examination.

Disposition:

a. Examination. Record copy of each examination and related validation documents.

(1) Examinations given through 1994

PERMANENT. Transfer to NARA in 2024.

- (2) Examinations given in 1995 and beyond.
 - (a) Examinations reflecting major changes in OCC's bank supervision philosophy or in the testing methodology.

PERMANENT. Transfer to NARA when thirty years old.

- (b) All other examinations.

Destroy when fifteen years old.

- b. General file concerning the examination. Correspondence, memorandums, schedules, reports and other records relating to the administration of the UCE

Cut off files at the close of the CY Hold three years or until volume warrants and transfer to the FRC. Destroy when fifteen years old.

- c. Candidate files. Test and test results for each examiner who has taken the UCE. Record copy maintained on-site.

Destroy fifteen years after the candidate has taken the UCE and the results are known.

3.6 OCC Benefits Files (to be scheduled separately)

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

- 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. 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. Destroy/delete when dissemination, revision, or updating is completed.

These items are added to cover copies of records in this schedule, with agency concurrence.

Trace Taylor, NWMC

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