

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER N1-483- <i>09-2</i>	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>9/24/09</i>	
1 FROM (Agency or establishment) Office of Thrift Supervision		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION			
3 MINOR SUBDIVISION			
4. NAME OF PERSON WITH WHOM TO CONFER Kathy Collins	5 TELEPHONE NUMBER (202) 906-7514	DATE <i>19 Oct 10</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</i>
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 <u>4</u> page(s) are not needed now for the business for this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, <input checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested			
DATE 09/24/2009	SIGNATURE OF AGENCY REPRESENTATIVE <i>Kathy Collins</i>		TITLE Manager, Records Management
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p>This schedule applies to all formats and media in which records are created and maintained at the Office of Thrift Supervision (OTS), including paper, microfilm, and electronic records. Every effort will be made to transfer permanent electronic records to NARA in accordance with NARA standards applicable at the time of transfer. If transfer of the electronic records is not feasible, NARA and the OTS will negotiate, prior to transfer, alternative media formats, and/or physical arrangement that meet the needs for continued preservation and use.</p> <p>Comprehensive Records Retention Schedule – Bucket Format (See Attached)</p> <p>Note: Authorization to transfer permanent records to NARA or authorization to destroy temporary records is subject to prior approval of OTS Counsel.</p>		

Office of Thrift Supervision

Comprehensive Records Retention Schedule

The Office of Thrift Supervision (OTS) Comprehensive Records Retention Schedule is the authority to dispose of OTS program records that are specific to the OTS. This schedule does not include most records covered by a General Records Schedule (GRS). This schedule covers records created and maintained in the Washington, DC office and all other regional offices.

As these records are created and maintained in different media and formats, this records schedule is written to authorize the disposition of the records in any media (media neutral) OTS will select media for the records copy and maintain temporary records throughout their lifecycle. Permanent records will be transferred to the National Archives and Records Administration (NARA), in accordance with regulations and procedures in place at the time of transfer, and in accordance with the time frames set forth in this schedule.

Item 1. General Program Files

This series consists of reports, studies, briefings, correspondence, subject files, briefing books, congressional relations/communications, schedules of daily activities, audiovisual media, photographs, speeches, speaking engagements and presentations, and project files related to the functions, operations and program management of OTS offices, including related background information (copies of incoming memorandums, comments and drafts and similar documents).

1a. Program Files from the OTS Director; Senior Deputy Director and COO; Deputy Director, Chief Counsel; and Deputy Director, Examinations, Supervision and Consumer Protection.

Disposition: **PERMANENT.** Cut off at the end of the calendar year or when project is completed. Transfer to NARA no sooner than 5 years after cutoff, but no later than 10 years after cutoff.

1b. All Other Program Files

This item includes all other program files from all offices, including but not limited to the offices of: Examinations, Supervision and Consumer Protection, Chief Counsel (excluding records covered in Items 2 and 5), External Affairs, CIO, CFO, HR, Procurement, Financial Operations, Facilities, Office of Equality and Workplace Principles, IT, Security and Records Management.

Disposition: **TEMPORARY.** Cut off at the end of the calendar year or when project is completed. Destroy/delete no sooner than 5 years after cutoff, but no later than 10 years after cutoff.

Item 2. Regulatory and Legislative Files

This series contains information relating to the preparation, analysis and review of thrift industry related legislation of the OTS as well as background materials and information that relate to the proposed and final versions of OTS regulations.

2a. Mission-Related Regulatory and Legislative Files

Records relating to the primary mission of OTS which include information relating to the preparation, analysis and review of thrift industry related regulations and legislation of the OTS as well as background materials and information that relate to the proposed and final versions of OTS

regulations. Other records identified in this series include bills, committee reports, hearings, Congressional records, public comment letters, testimony, amendments, opinions, memoranda, working papers, and proposed and finalized OTS legislation. Documents relating to various statutes (such as the Federal Home Loan Bank Act, the Home Owner's Loan Act, the National Housing Act, the Freedom of Information Act, Privacy Act, and the Ethics in Government Act) are contained in these files.

Disposition: **TEMPORARY.** Cut off at the end of the calendar year. Destroy/delete 15 years after cutoff.

2b. Routine Regulatory and Legislative Files

This series contains regulatory and legislative support files of a routine nature, including drafts, working files and files documenting the processing of proposed and final rules for publication in the Federal Register.

Disposition: **TEMPORARY.** Cut off at the end of the calendar year. Destroy/delete no sooner than 3 years after cutoff, but no later than 6 years after cutoff.

Item 3. Policy, Procedure and Publication Files

Policy records provide documentation of agency policies and policy development, including agency origin and organization, policy manuals and bulletins and policy related decisions and activities of senior executives. This series also includes policies, procedures, guidelines and manuals developed to provide guidance for the Office of Thrift Supervision (OTS) and guidance to regulated institutions. Included in this series are publications, published reports, handbooks, manuals, regulatory bulletins, thrift bulletins, policy bulletins, CEO memos, press releases, and directives.

Item 3a. Mission-Related Policy, Procedure and Publication Records

Records relating to the primary mission of the OTS, which include but are not limited to: publications, handbooks, manuals, press releases, official directives, bulletins, CEO memos, research papers, invited papers and records that document the policies, procedures, programs and organizational structure that fulfill the primary mission.

Disposition: **PERMANENT.** Cut off at the end of the calendar year. Transfer to NARA 15 years after cutoff.

Item 3b. Routine Policy, Procedure and Publication Records

This series contains routine policies and procedures, directives, surveys, publications, delegations of authority, internal memos and other notifications of a routine nature (i.e.: Travel, HR, Personnel, Procurement etc.).

Disposition: **TEMPORARY.** Cut off at the end of the calendar year. Destroy/delete no sooner than 6 years after cutoff, but no later than 10 years after cutoff.

Item 4. Institution Records

This series covers thrift and holding company institution records (all institutions and holding companies, including international).

Item 4a. Institution Files – Permanent Program Records

These records include all applications, all reports of examination, financial and securities filings (Securities and Exchange Act of 1934), supervisory correspondence, supervisory plans, holding

company files and matters, failed bank reviews, charters, bylaws, certificates and other materials related to the establishment of thrift or holding company institutions

The application folder includes but is not limited to various applications, including merger conversions, acquisitions of another institution, relocations, purchase or sale of branch offices, Oakar and Sasser applications, insurance of accounts, private placements, subordinated debentures, financial planning documents and/or business plans and waivers of certain regulatory restrictions. This item includes denied applications or any applications in which an agency decision is made. This item does not include withdrawn applications (see item 4b below).

Disposition: **PERMANENT.** Cut off at the end of the calendar year. Transfer to NARA 30 years after cut off.

*Note: This item does not include Examination Workpapers. That series is covered by NARA-approved retention schedule number 483-04-1, Items 2, 3 and 4.

Item 4b. Withdrawn Applications

These records include all applications that are withdrawn by the applicant and no agency decision is made.

Disposition: **TEMPORARY.** Cut off at the end of the calendar year in which the application is withdrawn. Destroy records 15 years after cutoff.

Item 5. Office of Chief Counsel Files

Records in this series consist of legal records created and received by OTS chief counsel and enforcement divisions pertaining to enforcement case files, enforcement orders, enforcement actions, enforcement investigations, Enforcement Review Committee files, litigation case files and proceedings and adjudicatory files. All other program records and non-institution related records from the Office of Chief Counsel are covered in item 1.

Item 5a. Office of Chief Counsel – Permanent Program Records

This series includes records created by the office of chief counsel and enforcement divisions and includes Adjudicatory Files, Enforcement Association Files, Enforcement Orders and Enforcement Review Committee (Supervisory Action Committee) files.

Disposition: **PERMANENT.** Cut off at the end of the calendar year or when case is closed. Transfer to NARA no sooner than 10 years after cutoff, but no later than 20 years after cutoff

Item 5b. Office of Chief Counsel – Historically Significant Case Files

This series includes records created by the chief counsel and enforcement divisions covering significant enforcement case files and significant litigation case files.

The enforcement case files may include but are not limited to case preparation files, transcripts of depositions, cease and desist orders, supervisory agreements, civil money penalties, criminal referrals, and removal and prohibition orders. Other records relating to this series include opinions, memoranda of law, correspondence and enforcement proceedings relevant to issues related to the enforcement of statutes and regulations.

The litigation case files include but are not limited to work papers, materials involved in discovery proceedings, briefs, transcripts, pleadings, bankruptcy files and requests for documents from outside parties.

Significant case files are determined based on the following criteria:

- The case impacts on the interpretation of OTS related legislative and regulatory statutes.
- The case affects the operations of the OTS and has an impact on the activities of the thrift industry.
- The case has a high volume of Congressional or public inquiries.
- The case may impact OTS as a result of liability to respondents and losses to OTS.
- The case involves high profile individual(s).

Disposition: **PERMANENT.** Cut off when case is closed. Transfer to NARA no sooner than 10 years after cutoff, but no later than 20 years after cutoff.

Item 5c. Office of Chief Counsel – Non-significant Case Files

This series includes all other enforcement and litigation case files that are not determined to be historically significant.

The enforcement case files may include but are not limited to case preparation files, transcripts of depositions, cease and desist orders, supervisory agreements, civil money penalties, criminal referrals, and removal and prohibition orders. Other records relating to this series include opinions, memoranda of law, correspondence and enforcement proceedings relevant to issues related to the enforcement of statutes and regulations.

The litigation case files include but are not limited to work papers, materials involved in discovery proceedings, briefs, transcripts, pleadings, bankruptcy files and requests for documents from outside parties.

Disposition: **TEMPORARY.** Cut off when case is closed. Destroy/delete 10 years after cutoff.

Item 6. Congressional Reports to Congress

The file contains Congressional mandated reports to Congress including, but not limited to, the Community Reinvestment Act, Consumer Complaints, Enforcement Efforts and Flood Insurance

Disposition: **PERMANENT** Cut off at the end of the calendar year. Transfer to NARA 10 years after cutoff.

Item 7. Building Sepias

These records are the sepias of original building construction. These include architectural drawings, electrical drawings, mechanical drawings, etc.

Disposition: ~~**PERMANENT.** Cut off when updated or superseded. Transfer to NARA 10 years after cutoff.~~

TEMPORARY. Retain for the life of the building or transfer to new owners upon purchase of building. (Per discussion w/ agency records officer 6/7/10)