

Request for Records Disposition Authority

Records Schedule Number DAA-0307-2017-0001
Schedule Status Approved

Agency or Establishment National Science Foundation
Record Group / Scheduling Group Records of the National Science Foundation
Records Schedule applies to Major Subdivision
Major Subdivision Office of the Director
Minor Subdivision Office of the General Counsel
Schedule Subject Office of the General Counsel Records

Internal agency concurrences will be provided No

Background Information

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
10	0	10	0

GAO Approval

Outline of Records Schedule Items for DAA-0307-2017-0001

Sequence Number	
1	OFFICE OF THE GENERAL COUNSEL
1.1	Legal Advice Files Disposition Authority Number: DAA-0307-2017-0001-0001
1.2	Attorneys' Working Files Disposition Authority Number: DAA-0307-2017-0001-0002
1.3	Tracking Records Disposition Authority Number: DAA-0307-2017-0001-0003
1.4	Litigation Case Files Disposition Authority Number: DAA-0307-2017-0001-0004
1.5	Touhy Requests Disposition Authority Number: DAA-0307-2017-0001-0005
1.6	Subpoenas Disposition Authority Number: DAA-0307-2017-0001-0006
1.7	Debarment Matters, Government-Wide Suspension and Research Misconduct Files Disposition Authority Number: DAA-0307-2017-0001-0007
1.8	Environmental Compliance Matters Disposition Authority Number: DAA-0307-2017-0001-0008
1.9	Patented Invention Case Files Disposition Authority Number: DAA-0307-2017-0001-0009
1.10	Invention Case Files Disposition Authority Number: DAA-0307-2017-0001-0010

Records Schedule Items

Sequence Number

1 **OFFICE OF THE GENERAL COUNSEL**
The Office of the General Counsel (OGC) is the legal advisor and advocate for the Foundation, providing legal advice and assistance on all aspects of the Foundation's programs, policies, and operations, as well as areas affecting science and technology more broadly. Advice is provided in a wide variety of areas, such as: grants, contracts and cooperative agreements; intellectual property; conflicts-of-interest; employee and labor relations; civil rights; health, safety and environment; public regulation of research; Federal fiscal and administrative law and procedure; international law and agreements; and national security restrictions of scientific research (including export controls). The OGC also provides litigation expertise to the agency coordinating each phase of complex litigation with various divisions of the U.S. Department of Justice.

1.1 **Legal Advice Files**

Disposition Authority Number DAA-0307-2017-0001-0001

Non-precedent setting legal advice files including e-mail correspondence, letters, memoranda, opinions, reports, issued by attorneys to the agency regarding various general legal issues including but not limited to budget, appropriations, contract, procurement, personnel, FOIA, Privacy Act, FACA, and polar programs. Included are legal opinions, memorandums, comments and mark-ups.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff at the end of the calendar year, when the matter is completed.

Transfer to Inactive Storage Transfer to the WNRC 3 years after cutoff.

Retention Period Destroy 10 years after cut off.

Additional Information

1.2

GAO Approval Not Required

Attorneys' Working Files

Disposition Authority Number DAA-0307-2017-0001-0002

Files created and maintained by individual attorneys in the course of their daily work or to complete assignments. These files consist of reference materials and duplicates of official correspondence located in other files.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff at the end of the calendar year, when the matter is completed.

Retention Period Destroy 3 years after cutoff.

Additional Information

GAO Approval Not Required

1.3

Tracking Records

Disposition Authority Number DAA-0307-2017-0001-0003

Copies of logs or tracking records that document the status of cases, assignments, and other matters such as the log of research misconduct/suspension/debarment matters.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

1.4

Disposition Instruction

Cutoff Instruction Cutoff at the end of each calendar year.
Retention Period Destroy when 5 years after cutoff, but longer retention is authorized for business use.

Additional Information

GAO Approval Not Required

Litigation Case Files

Disposition Authority Number DAA-0307-2017-0001-0004

Pleadings and correspondence regarding all routine litigation to which NSF is a party. Included are employment law and environmental compliance litigation matters.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff at the end of the calendar year in which the litigation and post litigation activities are completed.

Transfer to Inactive Storage Transfer to WNRC 3 years after cutoff.

Retention Period Destroy 10 year(s) after cutoff

Additional Information

GAO Approval Not Required

1.5

Touhy Requests

Disposition Authority Number DAA-0307-2017-0001-0005

Files consist of requests for employee testimony, background, recommendation, decision, and related correspondence. If a civil action is filed, the file may contain pleadings, answers, motions, exhibits and other supporting documents.

Final Disposition Temporary

Item Status Active

1.6

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff at the end of the calendar year.

Transfer to Inactive Storage Transfer to WNRC 3 years after cutoff

Retention Period Destroy 10 years after cutoff.

Additional Information

GAO Approval Not Required

Subpoenas

Disposition Authority Number DAA-0307-2017-0001-0006

Subpoenas issued by courts, attorneys, or clerks of courts that are served by mail or in person on an NSF employee or in an NSF office or facility requesting information from employees' or claimants' records. The file may include a copy of the subpoena and related correspondence, including a copy of the letter to the employee or claimant if the records were released without consent, and any other supporting documents. If a civil action is filed, the file may contain pleadings, answers, motions, exhibits and other documents related to the litigation.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff at the end of the calendar year, after the subpoena is resolved

Transfer to Inactive Storage Transfer to WNRC 3 years after cutoff

Retention Period Destroy 10 year(s) after cutoff

1.7

Additional Information

GAO Approval Not Required

Debarment Matters, Government-Wide Suspension and Research Misconduct Files

Disposition Authority Number DAA-0307-2017-0001-0007

Files consist of memoranda, correspondence and administrative hearing records regarding research misconduct, government-wide suspension and debarment matters referred by the Office of the Inspector General (OIG) who maintains the official investigative file.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff at the end of the calendar year in which a final disposition is reached or litigation is resolved.

Transfer to Inactive Storage Transfer to WNRC 3 years after cutoff.

Retention Period Destroy 10 year(s) after cutoff

Additional Information

GAO Approval Not Required

1.8

Environmental Compliance Matters

Disposition Authority Number DAA-0307-2017-0001-0008

NSF environmental compliance documents including, environmental assessments, environmental impact statements, etc. Records may contain mitigation and monitoring obligations regarding environmental issues to which NSF is a party.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in

electronic format(s) other than e-mail and word processing?

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff annually.

Transfer to Inactive Storage Transfer to WNRC 3 years after cutoff.

Retention Period Destroy 10 years after cutoff.

Additional Information

GAO Approval Not Required

1.9

Patented Invention Case Files

Disposition Authority Number DAA-0307-2017-0001-0009

NSF is a funding agency. Some awards result in inventions/patents, which, under the Bayh Dole Act, are required to be reported to the funding agency. NSF compiles the reports submitted by awardees and maintains the information in a database. OGC maintains this database for NSF. The database is used to review patent waivers and licensing agreements, and for Congressional reporting. The records include, descriptions of inventions, correspondence concerning the Government's rights and interests in the inventions, copies of the patent applications filed on the inventions, correspondence with the U.S. Patent and Trademark Office on the applications, and copies of the resulting patents.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff annually.

Transfer to Inactive Storage Transfer to WNRC 3 years after last patent is issued

Retention Period Destroy when 10 years old, but longer retention is authorized if required for business use.

1.10

Additional Information

GAO Approval Not Required

Invention Case Files

Disposition Authority Number DAA-0307-2017-0001-0010

Consist of inventions that have not been patented. These documents contain a description of inventions and correspondence concerning the Government's rights and interests in the inventions. The series includes copies of unsuccessful patents.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Disposition Instruction

Cutoff Instruction Cutoff annually.

Transfer to Inactive Storage Transfer to WNRC 3 years after the files are inactivated

Retention Period Destroy when 10 years old, but longer retention is authorized if required for business use.

Additional Information

GAO Approval Not Required

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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
04/03/2017	Certify	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
04/04/2017	Return for Revision	Carly Docca	Archives Specialist	National Archives and Records Administration - ACRA
04/11/2017	Submit For Certification	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
04/11/2017	Certify	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
06/12/2017	Return for Revision	Carly Docca	Archives Specialist	National Archives and Records Administration - ACRA
07/11/2017	Submit For Certification	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
07/11/2017	Certify	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
07/12/2017	Return for Revision	Carly Docca	Archives Specialist	National Archives and Records Administration - ACRA

08/03/2017	Submit For Certification	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
08/03/2017	Certify	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
09/07/2017	Return for Revision	Carly Docca	Archives Specialist	National Archives and Records Administration - ACRA
10/04/2017	Submit For Certification	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
10/04/2017	Certify	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
11/15/2017	Return for Revision	Carly Docca	Archives Specialist	National Archives and Records Administration - ACRA
11/16/2017	Submit For Certification	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
11/16/2017	Certify	Kris McFail	Head, Records and Information Management	Office of Information and Resource Management - Division of Administrative Services
01/09/2018	Submit for Concurrence	Carly Docca	Archives Specialist	National Archives and Records Administration - ACRA
01/11/2018	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program

				- ACNR Records Management Services
01/11/2018	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
01/12/2018	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist