

# Request for Records Disposition Authority

(See Instructions on reverse)

## Leave Blank (NARA Use Only)

Job Number

*NI-465-09-1*

Date Received

*11/19/08*

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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

Archivist of the United States

*7/28/09* *Devin Thomas*

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

1. From: (Agency or establishment)

**Pension Benefit Guaranty Corporation (PBGC)**

2. Major Subdivision

3. Minor Subdivision

4. Name of Person with whom to confer

**Roderick J. MacPhail**

5. Telephone (include area code)

**202-326-4020**

### 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       has been requested

Signature of Agency Representative

*Roderick J. MacPhail*

Title

*PBGC Records Officer*

Date (mm/dd/yyyy)

*11/07/08*

7. Item Number

8. Description of Item and Proposed Disposition

9. GRS or Superseded Job Citation

10. Action taken (NARA Use Only)

**See Attached Pages**

## PBGC Simplified Records Schedules

### Schedule 1: Administrative Schedule

The Administrative Schedule covers agency-wide support functions and administrative program management functions carried out across the agency that support PBGC's mission and routine operations, but do not directly document the performance of mission and policy functions. Administrative records relate to common agency-wide functions such as: budget and finance, communications, information technology and services, legal, payroll and benefits, personnel, procurement and supply, public and congressional relations, security, and travel. This records schedule covers those PBGC administrative support records represented and not represented by the General Records Schedule (GRS), and covers records in all format.

These records are created and maintained in different media and formats and this records schedule is written to authorize the disposition of the records in any media. PBGC is responsible for maintaining these records throughout their life cycle while under the responsibility of PBGC.

This records schedule applies to all organizational elements of PBGC. All previously approved records schedules of the PBGC are superseded and cancelled by this schedule and the associated Mission and Policy Schedules.

#### **Item 1.1: Transitory Administrative Records.**

~~Materials generated or received that are of short-term interest.~~

~~**TEMPORARY:** Destroy or delete after 180 days or when no longer of value to the organization. *Per GRS 23, Records Common to Most Office within Agencies, item 7, Transitory Files.*~~

#### **Item 1.2: Administrative Records.**

Administrative support records are those records prepared or received by individual offices necessary to perform the day-to-day, normal, and routine internal administration or housekeeping activities in support of organization and staff efforts to accomplish the PBGC mission. These records include final and preliminary versions of items, working files, background papers, and communications (including e-mails) of business value (e.g. items documenting decisions, knowledge, or reusable work products). Administrative support records, after initial declaration, may be identified as significant to one or more complex records. Such records may be moved or copied to, and become part of the more complex record or records, and managed accordingly. Administrative support records address matters within, but not limited to, the subject areas below.

- Administrative – General
- Audit and Investigation Reports
- Budget – General
- Budget Estimates and Justifications
- Building/Facility Management
- Disclosure Forms
- Employment (See 1.4 Staff Records)
- Equal Employment Opportunity (See 1.4 Staff Records)
- Ethics
- Finance
- General Training and Training Materials
- Human Capital Management (See 1.4 Staff Records)
- Information Assets/Records
- Information Services/Library
- Information Systems/Technology
- Inspector General
- Mail and Couriers
- Motor Vehicle Maintenance and Operation
- Pay and Benefits
- Personnel Records (See 1.5 Official Personnel Folders)
- Privacy Act Requests
- Property Management
- Public Affairs
- Publication Services
- Safety
- Security and Protective Services
- Small Procurements (See 1.6 Unopened Bids)
- Space and Maintenance
- Telecommunications
- Travel and Transportation

**TEMPORARY:** Break file at the end of each fiscal year or case closure (latest documented use). Destroy or delete after 7 years.

**NOTE: All permanent records such as important Investigative and Audit Files are scheduled under Item 3.3, Historical Administrative Records.**

### **Item 1.3: Administrative Governance Records.**

Administrative governance records are those administrative records accumulated (prepared, collected, or received) by individual offices that aggregate materials (records and other relevant information) into cases, project files, etc. to document and support complex administrative issues or matters such as investigations, development of cases, positions, findings, or reports, and the performance of special studies, projects, analyses, evaluations, reviews and audits.

Administrative governance records address administrative oriented matters within, but not limited to, the subject areas below.

- Administrative Issuances
- Administrative Policy
- Attorney Time Records
- Audit Files
- Board of Directors' Working Files
- Budget Policy
- Corporate Management Planning and Reporting
- Disclosure Request Records
- Financial Management Reporting
- Investigative Working Files
- Large Procurements

- Office Policy
- Pension Plan Files
- Physical Security Policies
- Special Project Case Files
- Task Force Case Files

**TEMPORARY:** Close file when matter is completely finished or closed. Transfer physical records to an offsite storage facility 5 years after the end of the fiscal year the matter was closed. Destroy or delete 20 years after the end of the fiscal year that the mater was closed.

#### **~~Item 1.4: Staff Records.~~**

~~Staff Records includes materials generated or received that document sensitive information related to the supervision, management, or performance assessment of PBGC staff. These Staff Records are among those administrative records that, due to the sensitive nature of the information contained therein, or due to legislative, regulatory or contractual mandates or obligations, require PBGC staff to process items in a manner different from those described in the Administrative Records Schedules above. Staff Records include items within the areas below:~~

- ~~• Appraisals of unacceptable performance Superseded or obsolete documents in Supervisors' Personnel Files~~
- ~~• Copies of case files forwarded to OPM relating to performance rating board reviews~~
- ~~• Copies of EEO Complaint Case Files~~
- ~~• Duplicate OPF Documentation~~

~~**TEMPORARY:** Cut off at the end of fiscal year or case closure. Destroy or delete after 1 year. GRS 1, Civilian Personnel Records, Items 18 (a) & (b).~~

#### **~~Item 1.5: Official Personnel Folders~~**

~~PBGC prescribes to a system of recordkeeping for federal personnel. All records management of Official Personnel Folders (OPF) will be within the approved schedules, dispositions, guidelines and documentation as written under NARA GRS 1: Civilian Personnel Records and the United States Office of Personnel Management operating manual, *The Guide to Personnel Recordkeeping*. These records are among those administrative records that, due to the sensitive nature of the information contained therein, or due to legislative, regulatory or contractual mandates or obligations, require PBGC staff to process items in a manner different from those described in the Administrative Records Schedules above.~~  
~~**NOTE:** OPFs travel with the employee or transfer to the St. Louis Personnel Records Center when staff retires.~~

~~TEMPORARY: Review annually and destroy superseded or obsolete document, or destroy files relating to an employee with 1 year after separation or transfer. GRS 1, Civilian Personnel Records, Items 18 (a) & (b).~~

### ~~Item 1.6: Unopened Bids~~

~~Unopened Bids includes those instances where formal solicitations of offers to provide products or services (e.g., Invitations for Bids, Requests for Proposals, and Requests for Quotations) were canceled prior to award of a contract and bids received were not opened. These Records are among those administrative records that, due to the sensitive nature of the information contained therein, or due to legislative, regulatory or contractual mandates or obligations, require PBGC staff to process items in a manner different from those described in the Administrative Records Schedules above. Unopened Bids include items within the areas below:~~

- ~~● Solicited and Unsolicited Bids and Proposals Files~~

~~TEMPORARY: Destroy 5 years after date of cancellation. GRS 3, Solicited and Unsolicited Bids and Proposals Files, Item 5(c) 3. NOTE: Unopened bids are to be returned to the bidder.~~

### Item 1.7: Legal Administrative Records

Legal Administrative Records are those legal records prepared or received in the course of normal and routine day-to-day activities that are not, at declaration, identified as significant to a specific case. Records may support discrete litigation, advisory, opinion, determination, or regulatory matters or items that potentially affect legal or property rights. These records include final and preliminary versions of items, working files, background papers, and communications (including e-mails) of business value (e.g. items documenting decisions, knowledge, or reusable work products). Legal Administrative Records, after initial declaration, may be identified as significant to one or more cases or files. Such records may be moved or copied to, and become part of the case or file record or records, and managed accordingly. Legal Administrative Records address matters within, but not limited to, the subject areas below.

- Attorney Time Records
- Ethics
- Freedom of Information
- General legal advice memorandums
- Legal Opinion Files
- Legal Opinion Working Files
- Litigation Docket Sheets
- Non-Precedent Appeals Board Decisions
- Official Litigation Working Files
- Regulations Files Working Papers
- Other legal working files including electronic mail and electronically stored information

**TEMPORARY:** Break file at the end of each fiscal year or case closure (latest documented use). Destroy or delete after 20 years.

**Item 1.8 Legal Administrative Case Records**

Legal Administrative Case Records are those records prepared, received, and aggregated into a system of records that is critical to an understanding of discrete litigation, advisory, opinion, determination, or regulatory matters or items that potentially affect legal or property rights. Administrative Records address matters within, but not limited to, the subject areas below.

- Agreements and Financial Instruments
- Appeals Board Files
- Background Case Files
- Investigation and case management files
- Litigation Files Non-Historic
- Legislative Files
- Non-litigation Cases
- Official Litigation and Pension Plan Files - Non-precedential cases and pension plan files

**TEMPORARY:** Close file when matter is completely finished or closed. Transfer physical records to an offsite storage facility 2 years after the end of the fiscal year the matter was closed. Destroy or delete 15 years after the end of the fiscal year that the matter was closed.

**Item 1.9: Historical Administrative Records.**

Historical Administrative Records are those administrative records accumulated (prepared, collected, or received) by individual offices that have been appraised by NARA to have sufficient value to warrant continued preservation by the Federal Government as part of the National Archives of the United States. These are historically, precedent setting, and significant records that document the history and evolution of PBGC administration. Historical Administrative Records address matters within, but not limited to, the subject areas below.

- Historical Legal Opinion Files
- Legal advice memorandums that have a significant effect on PBGC administration
- Legislative Files
- Official Litigation and Pension Plan Files
- Precedent or landmark litigation files
- Record copy of PBGC legal opinion letters
- Regulations Files

**PERMANENT.** Break file at the end of each fiscal year or case closure. Transfer physical records to an offsite storage facility 10 years after the end of the fiscal year in which the matter was closed. Transfer to NARA in 5 year blocks 25 years after cutoff.

**NOTE:** If these records are converted to electronic format, PBGC agrees to transfer a copy to the National Archives and Records Administration (NARA) according to NARA's pre-accessioning transfer procedures in "*A Strategy for Preserving Permanent Electronic Records*" and "*Transferring Permanent Electronic Records to NARA.*" These records remain in the legal custody of PBGC until the records are officially transferred into NARA's legal custody.

## **PBGC Simplified Records Schedules**

### **Schedule 2: Mission Schedule**

The Pension Benefit Guaranty Corporation (PBGC) was established under title IV of the Employee Retirement Income Security Act of 1974 (ERISA) (88 Stat. 829, Public Law 93-406) with the mission to insure private pension beneficiaries against the complete loss of promised benefits if their defined benefit pension plan is terminated without adequate funding. Mission Schedule records document PBGC policies and procedures to establish and maintain its responsibilities with regard to accomplishing agency functions. This records schedule covers those PBGC mission support records represented and not represented by the General Records Schedule (GRS), and covers records in all formats.

These records are created and maintained in different media and formats and this records schedule is written to authorize the disposition of the records in any media. PBGC is responsible for maintaining these records throughout their life cycle while under the responsibility of PBGC.

This records schedule applies to all organizational elements of PBGC. All previously approved records schedules of the PBGC are superseded and cancelled by this schedule and the associated Administrative and Policy Schedules.

#### **Item 2.1: Plan, Participant, and Insurance Records.**

Plan, Participant and Insurance Records are those coverage, plan, termination, participant, benefit, funds, premiums, and investment records prepared or received by individual offices to document and manage the day-to-day, normal, and routine processing activities that accomplish the PBGC mission. These records include final and preliminary versions of items, working files, background papers, and communications (including e-mails) of business value (e.g. items documenting decisions, knowledge, or reusable work products). Plan, Participant and Insurance Records, after initial declaration, may, at any time, be deemed significant and may be moved or copied to, and become part of the more complex record or records, and managed accordingly. Plan, Participant and Insurance Records address matters within, but not limited to, the subject areas below.

- Actuarial Reports Files
- Administrative Closings
- Annual Premium Filing Files
- Assets Liquidation Files
- Benefit Check Files and Reconciliation Statements
- Benefit Payment Check Files
- Congressional Correspondence Control Files
- Controlled Correspondence (Non-Congressional) Files
- Corporate Standing Committee Files
- Custodian Banks and Money Managers Files
- Extension Requests



- Financial Statement Documentation
- Insurance Operations Program Subject Files
- Management Planning and Reporting Files
- Non Standard Termination (Trusted)
- Paid Participant Files
- Participant File Update Forms
- Pension Plan Company Files
- Pension Processing Files
- Plan Accounting
- Plan Expenditures
- Plan Record Files
- Plan Termination Case Files
- Premium Refund/Underpayment Files
- Reportable Events File: 30-Day Reporting Requirement Waived
- Revolving Fund Documentation
- Standard Termination Files (Non Trusteed)
- Tax Returns or Tax Return Information
- Training Aids
- Tracking and Control
- Treasurer's Report Files
- Trust Fund Ledger System Files
- Other working files including electronic mail and electronically stored information

**TEMPORARY.** Break file at the end of each fiscal year or case closure (latest documented use). Destroy or delete after 7 years.

## Item 2.2: Governance Records.

Governance Records are those significant Mission records prepared, collected, or received by individual offices that are aggregated into a system of records managed as a unit, e.g., cases, project files, etc., to document and support complex mission related issues such as coverage, plans, terminations, participants, benefits, funds, premiums, and investment matters. Governance Records include materials related to conducting investigations, developing cases, positions, findings, or reports, and performing special studies, projects, analyses, evaluations, reviews and audits not covered under item 2.3.

Governance Records address mission oriented matters within, but not limited to, the subject areas below.

- Active Negotiation Case Files
- Actuarial Monitoring Files
- Administrative Issuances
- Appeals Board Minutes
- Budget Policy
- Corporate Financial Planning and Policy Files
- Coverage Case Files
- Directives, Procedural Issuances and Operating Manuals
- Employer Withdrawal Case Files
- Financial Management Reporting
- High and Low Level Monitoring Case Files
- Investigation files and case tracking and management
- Master History Index
- Money Manager Contract and Associated records
- Multiemployer Plan Cases
- Office Policy
- Plan Asset Case Files

- Plan Closing Case Files
- Plan Termination Case Files Source Records
- Records Disposition Files
- Reportable Event Case Files
- Security Policy Files
- Special Project or Task Force Case Files – Non-Precedent
- Terminated Plan Asset Case Files

**TEMPORARY.** Close file when matter is completely finished or closed. Transfer physical records to an offsite storage facility 5 years after the end of the fiscal year the matter was closed. Destroy or delete 20 years after the end of the fiscal year that the matter was closed.

### **Item 2.3: Core Case File Records.**

Core Case File Records are those records accumulated (prepared, collected, or received) by individual offices that are core to PBGC's mission and contain all documents significant to a matter that are aggregated and managed by an electronic system (e.g. Plan Termination Case Files in the IPS). Core Case File Records address mission oriented matters within, but not limited to, the subject areas below.

#### **A. Core Case Files Records that are Electronic**

**TEMPORARY.** Break file at the end of each fiscal year. Move off line 40 years after determination that all participants have been fully paid. Destroy or delete after 135 years.

#### **B. Core Case Files Records not Electronic.**

**TEMPORARY.** Transfer to FRC 30 days after the case is closed. Destroy 40 years after case is closed.

### **Item 2.4: Pension Plan Company Files.**

Information from a plan sponsor or administrator that is not necessary for case processing. This includes paper and electronic copies of information received. These Records are among those mission records that, due to the sensitive nature of the information contained therein, or due to legislative, regulatory or contractual mandates or obligations, require PBGC staff to process items in a manner different from those described in the Administrative Records Schedules above.

**TEMPORARY.** Information should be returned to the plan sponsor, if possible, or to the plan administrator if they have need for the information. If the plan sponsor/administrator does not want the information to be returned, destroy/delete after 3 years.

## **Item 2.5: Tax Returns or Tax Return Information Disclosed by the Internal Revenue Service (IRS)**

Confidential materials such as tax returns and other IRS forms relating to pension plan sponsors including related memoranda, control documentation, and working papers.

~~a. Original or certified or attested copies~~

~~Return to IRS when no longer needed in accordance with Internal Revenue Code Section 6139p) (4) (f) and PBGC Directive IM-10-2.~~

b. Copies

**TEMPORARY.** Destroy when no longer needed (in accordance with current IRS requirements and PBGC Directive IM-10-2).

## PBGC Simplified Records Schedules

### **Schedule 3: Policy Schedule**

The Policy Schedule documents general agency policies and policy development, agency origin and organization, and decisions and activities of senior executives. By their very nature, many Policy Schedule Records have historical or other value to warrant continued preservation by the federal government. The Policy Schedule covers corporate wide directives/instructions, determinations (e.g., legal opinions, decisions for Congress, and decisions on availability and use of authorized funds), legislative histories, publications, final products, and special collections. This records schedule includes provisions for all general policy records including those governed by the GRS.

These records are created and maintained in different media and formats and this records schedule is written to authorize the disposition of the records in any media. PBGC is responsible for maintaining these records throughout their life cycle while under the responsibility of PBGC.

This records schedule applies to all organizational elements of PBGC. All previously approved records schedules of the PBGC are superseded and cancelled by this schedule and the associated Administrative and Mission Schedules.

#### **Item 3.1: Policy Support Records.**

Policy Support Records are those policy related records prepared or received by individual offices in support of organization and staff efforts to document information in support of new or revised policy decisions, policy related matters, and related policy activities. These records include final and preliminary versions of items, working files, background papers, and communications (including e-mails) of business value (e.g. items documenting decisions, knowledge, or reusable work products). Policy Support Records, after initial declaration, may or may not be significant or contribute to one or more complex records. Such records, as appropriate, may be moved or copied to, and become part of the more complex record or records and managed accordingly. Policy Support Records address policy matters within, but not limited to, the subject areas below.

- Advisory Committee Files
- Corporate Policy Development Files Working Papers
- Corporate Standing Committee Files
- Forecasting and Research Working Papers
- GAO Matters
- Legislative Working Files
- Regulations Files Working Papers
- Research and Evaluation Working Files
- Other working files including electronic mail and electronically stored information

**TEMPORARY.** Break file at the end of each fiscal year or case closure (latest documented use). Destroy or delete after 7 years.

### **Item 3.2: Policy Records.**

Policy Records are those policy records accumulated (prepared , received, or collected) by individual offices that aggregate materials (records and other relevant information) into cases, project files, etc. to document and promulgate new or revised policies, policy related matters, and related activities. Policy Records address policy matters within, but not limited to, the subject areas below.

- Background Case Files
- Budget Policy Files
- Directives, Procedural Issuances and Operating Manuals Files
- Forecasting and Research Files
- Investment Policy Issues and Position Files
- Legislative Files
- Regulations Files
- Research and Evaluation Files
- Special Project or Task Force Case Files
- Special Reports to Congress Files

**TEMPORARY.** Close file when matter is completely finished or closed. Transfer physical records to an offsite storage facility 5 years after the end of the fiscal year the matter was closed. Destroy or delete 20 years after the end of the fiscal year that the matter was closed.

### **Item 3.3: Historical Policy Records.**

Historical Policy Records are those policy records accumulated (prepared, collected, or received) by individual offices that have been appraised by NARA to have sufficient value to warrant continued preservation by the Federal Government as part of the National Archives of the United States. These are historical, precedent setting, and significant records that document the history and evolution of PBGC management and significant decisions. Historical Policy Records address matters within, but not limited to, the subject areas below.

PBGC Simplified Records Schedules

- Audit Files
- Historical Board of Directors' Files
- Board of Directors minutes and resolutions
- Case files of significant value
- Corporate Policy Development Files
- Corporate Standing Committee File
- Directives, Procedural Issuances and Operating Manuals
- Executive Director's Correspondence Files
- Published and Non-published Forecasting and Research Files
- Investment Policy Files
- Investigation Files
- Official Minutes of the Advisory Committee
- Official speeches of PBGC top officials
- Organizational Records
- Precedent case record files and correspondence
- Precedent Pension Plan administration files
- Significant audit and evaluation files
- Reports to President and Congress

**PERMANENT.** Break file at the end of each fiscal year or case closure. Transfer to NARA after 20 years.

**NOTE:** If these records are converted to electronic format, PBGC agrees to transfer a copy to the National Archives and Records Administration (NARA) according to NARA's pre-accessioning transfer procedures in "*A Strategy for Preserving Permanent Electronic Records*" and "*Transferring Permanent Electronic Records to NARA.*" These records remain in the legal custody of PBGC until the records are officially transferred into NARA's legal custody.