

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK

JOB NO.

NI-481-20-1

TO: **GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

DATE RECEIVED

3/19/90

1. FROM (Agency or establishment)

U.S. Office of Special Counsel

NOTIFICATION TO AGENCY

2. MAJOR SUBDIVISION

3. MINOR SUBDIVISION

In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.

4. NAME OF PERSON WITH WHOM TO CONFER

Ronald J. Kennedy

5. TELEPHONE EXT.

653-5822

DATE

2/24/90

ARCHIVIST OF THE UNITED STATES



6. CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 3 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, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A. GAO concurrence: is attached; or is unnecessary.

B. DATE <i>3/16/90</i>	C. SIGNATURE OF AGENCY REPRESENTATIVE <i>W. J. Kennedy</i>	D. TITLE Director for Management
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7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARS USE ONLY)
1.	<p>This grouping of records represents the collective files of the Office of Special Counsel, which became an independent agency on July 9, 1989. The records relate to agency operations under authority of the Whistleblower Protection Act of 1989 (P.L. 101-12; 5 U.S.C. Sections 1211-1219).</p> <p style="text-align: center;"><u>Cases and Matters</u></p> <p>These files relate to disciplinary action and corrective action complaints and requests for stays of personnel actions filed with and prosecuted before the Merit Systems Protection Board pursuant to 5 U.S.C. Sections 1214(b) and 1215; other litigation before the Board and the United States courts to which the Special Counsel may be a party; and corrective action letters sent to heads of agencies pursuant to 5 U.S.C. 1214(b)(2)(A) as well as records pertaining to the review and investigation of allegations pursuant to 5 U.S.C. Sections 1214(a) and 1216, or pertaining to investigations or complaints pursuant to 5 U.S.C. Sections 1204(f) and 1303. Included in these files are "reprisal for whistleblowing" allegations, i.e., allegations of a prohibited personnel practice under 5 U.S.C. Section 2302(b)(8).</p> <p>(a) <u>Official File</u>: Contains all pertinent records, including the results of any investigation of the matter, legal memoranda, pleadings, Board and court orders, and related correspondence concerning each matter, or concerning each case prosecuted or litigated.</p>		

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2.	<p>Disposition: Close the case file after the final disposition of the case is determined and no further action is required on the part of OSC. One year after the file is closed, retire the case file to the nearest Federal Records Center. Destroy three years after the file is closed.</p> <p>(b) Automated File Record. Relevant statistical and control data is recorded on magnetic disc or tape storage. Disposition: Destroy when no longer needed for current business. (NI-146-85-01)</p> <p>(c) Working File. Contains duplicate copies of documents from official file, draft correspondence, work papers, etc. Disposition: Destroy when official file is sent to Federal Records Center. (NI-146-85-01)</p> <p>(d) Reconsideration File. Contains request for reconsideration and follow-on correspondence after case has been closed for three years and official file (Item 1(a)) has been destroyed. Disposition: Destroy 1 year after last response from OSC.</p> <p style="text-align: center;"><u>Disclosure Files</u></p> <p>These files consist of records pertaining to action taken pursuant to 5 U.S.C. Section 1213 on allegations of waste, fraud and abuse received by OSC.</p> <p>(a) Official File. File consists of copies of the original complaint, internal memoranda, correspondence and reports pertaining to each matter handled. Disposition: Close the case file when all necessary OSC actions on a matter have been completed. One year after the file is closed retire to nearest Federal Records Center. Destroy three years after the file is closed. (NI-146-85-01)</p> <p>(b) Automated File Record. Relevant statistical and control data is recorded on magnetic disc or tape storage. Disposition: Destroy when no longer needed for current operations. (NI-146-85-01)</p> <p>(c) Public File. Contains sanitized version of basic correspondence for cases referred to the head of an agency. Disposition: Maintain in accordance with 5 U.S.C. Section 1219. Do not retire to Federal Records Center or transfer to NARA.</p> <p>(d) Reconsideration File. Contains request for reconsideration and follow-on correspondence after case has been closed for 3 years and official file (Item 2(a)) has been destroyed.</p>	<p>NI-146-85-01</p>	<p>NI-146-85-01</p>

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3.	<p><u>Disposition:</u> Destroy 1 year after last response from OSC.</p> <p><u>Annual Reports of the Special Counsel</u></p> <p>Produced at the end of each fiscal year describing the significant activities of the office during that period. Report includes a discussion of major case activities and administrative functions.</p> <p><u>Disposition:</u> Permanent. Offer to National Archives in 5 year blocks when 20 - 25 years old. <i>(NI-146-85-01)</i></p> <p>(NOTE: The General Administrative Files of the Office of Special Counsel are covered by the General Records Schedules (GRS) as issued by the National Archives and Records Administration. In order to determine the disposition for specific General Administrative Files, the GRS should be consulted.)</p>		