

REQUEST FOR RECORDS DISPOSITION AUTHORITY		LEAVE BLANK (NARA use only)	
		JOB NUMBER NI-563-07-6	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001		Date Received May 16, 2007	
1 FROM (Agency or establishment) Department of Homeland Security		NOTIFICATION TO AGENCY	
2 MAJOR SUB DIVISION Civil Rights and Civil Liberties		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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER Kathy Schultz	5 TELEPHONE 202-447-5075	DATE 6/27/08	ARCHIVIST OF THE UNITED STATES <i>Allen W. ...</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>3</u> page(s) are not needed now 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 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 5/7/07	SIGNATURE OF AGENCY REPRESENTATIVE <i>Kathleen A Schultz</i>		TITLE Senior Records Officer
7 ITEM NO.	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1	See attached sheet(s) for: Civil Rights and Civil Liberties Case Files / CRCL Hawk		

**U.S. Department of Homeland Security
Headquarter Offices
Civil Rights and Civil Liberties**

The mission of the Office for Civil Rights and Civil Liberties (CRCL) is to protect civil rights and civil liberties and to support the Department of Homeland Security (DHS) with constructive advice on the full range of issues DHS will face, and by serving as an information and communication channel with the public regarding all aspects of these issues

DHS CRCL is directed by statute to review and assess allegations of abuses of civil rights and civil liberties, allegations of racial, ethnic and religious profiling by employees and officials of DHS, and to investigate such allegations, and to oversee the Department's compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights and civil liberties of individuals. 6 U.S.C. 345 defines the roles and responsibilities of the Officer for Civil Rights and Civil Liberties within DHS

Unless otherwise noted, all disposition instructions are media neutral, they apply regardless of the media or format of the records.

1. CRCL Hawk

The purpose of this system is to allow the Officer for Civil Rights and Civil Liberties and staff to maintain relevant information necessary to review complaints or comments about alleged civil rights or civil liberties violations, or racial, religious or ethnic profiling tied to DHS activities. The system will also track and maintain investigative files and records of complaint resolution and other matters, and facilitates oversight and accountability of DHS civil rights and civil liberties complaint resolution mechanisms. Its predecessor records system contained substantially the same material, but was called CRCL Matters

Records in this system consist of complaints, comments, investigative notes and memoranda, correspondence, evidentiary documents and material, and reports relating to the resolution of complaints. The system also contains similar information relating to witnesses, persons involved in the alleged incident, and other persons with relevant information

Authority for maintenance of the system: 6 U.S.C. 345; 44 U.S.C. 3101

a. ~~Inputs~~

~~Complaints are assigned a matter number, and the allegations of the complaint are manually keyed. When a new file is created, all documents related to the complaint are electronically scanned into the system. System entries are made as information is collected and may include internal administrative, deliberative and investigative documentation.~~

~~Instruction: See Civil Rights Matters Case Files (Item 2 in this schedule) for disposition. This item is struck-through because it is a note, not a disposition instruction.~~

b. Master File / Data

Electronic Complaint and Investigative Case Information. Data collected includes, but is not limited to: complainant's name, home or work address, phone, e-mail, alien registration number (if provided), and other identifying data necessary to review the complaint, seek a resolution, and communicate with the complainant. Similar information regarding witnesses, persons involved in the alleged incident, or any other persons with relevant information regarding the alleged abuses is also collected. Other records collected include investigative notes and memoranda, correspondence, evidentiary

documents and material, comments and reports relating to the alleged abuses and to the resolution of the complaint

1) Referred Matters

Matters that are referred to DHS Components for resolution. Components will maintain the record copy and follow their agency's record disposition schedule. DHS CRCL will maintain a reference copy containing the original complaint, all related and relevant documents, and the component memorandum of resolution.

Disposition: TEMPORARY. Destroy or delete 7 years after resolution or closure of the case

2) Retained Matters

Matters that are either retained by CRCL because of the significance of the issue, which may result in policy change, or matters returned from the component for resolution

Disposition: TEMPORARY. Destroy or delete 75 years after resolution or closure of the case

3) Significant Case Files

Significant case files are files that 1) involve allegations made against senior DHS officials; 2) attract national media or Congressional attention, 3) present significant or novel questions of law or policy, or, 4) result in substantive changes in DHS policies and procedures. Significant cases will be selected by the Office of Civil Rights and Civil Liberties based on these criteria

Disposition: PERMANENT: Cut off at end of fiscal year in which case is closed. Transfer to NARA 5 years after cutoff according to NARA transfer guidance and regulations

~~c. Outputs~~

~~1) Reports and documentation relating to the Matter Case files~~

~~Instruction:~~ See Civil Rights Matters Case Files (Item 2 in this schedule) for disposition.

~~2) Management Tracking and other Ad Hoc Reports~~

~~Data compiled to track the status of matters that do not have a resolution.~~

Disposition: GRS 20, Item 4, 5, 6, 7, 12 and 16

~~TEMPORARY.~~ Destroy or delete when the agency determines that they are no longer needed for administrative, legal, audit, or other operational purposes.

2. Civil Rights Matters Case Files

Civil Rights and Civil Liberties (CRCL) collects information relating to allegations of abuses of civil rights, civil liberties, and racial, ethnic and religious profiling by department employees and officials, and for similar allegations relating to persons or entities under Department control (such as contractors or programs). The basic information collected includes, but is not limited to: complainants name, home or work address, phone, e-mail, alien registration number (if provided), and other identifying data necessary to review the complaint, seek a resolution, and communicate with the complainant. Similar information regarding witnesses, persons involved in the alleged incident, or any other persons with relevant information

regarding the alleged abuses is also collected. Other records collected include investigative notes and memoranda, correspondence, evidentiary documents and material, comments and reports relating to the alleged abuses and to the resolution of the complaint.

a. Referred Matters

Matters that are referred to DHS Components for resolution. Components will maintain the record copy and follow their agency's record disposition schedule. DHS CRCL will maintain a reference copy containing the original complaint, all related and relevant documents, and the component memorandum of resolution.

Disposition: TEMPORARY. Destroy or delete 7 years after resolution or closure of the case.

b. Retained Matters

Matters that are either retained by CRCL because of the significance of the issue, which may result in policy change, or matters returned from the component for resolution.

Disposition: TEMPORARY. Destroy or delete 75 years after resolution or closure of the case.

c. Significant Case Files

Significant case files are files that 1) involve allegations made against senior DHS officials, 2) attract national media or Congressional attention, 3) present significant or novel questions of law or policy, or, 4) result in substantive changes in DHS policies and procedures. Significant cases will be selected by the Office of Civil Rights and Civil Liberties based on these criteria.

Disposition: PERMANENT. Cut off at end of fiscal year in which case is closed. When volume warrants, transfer to the Federal Records Center for temporary storage. Transfer to the National Archives for permanent retention 20 years after cutoff.