

**REQUEST FOR RECORDS DISPOSITION AUTHORITY**  
(See Instructions on reverse)

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)  
WASHINGTON, DC 20408

1. FROM (Agency or establishment)  
**Department of Justice**

2. MAJOR SUBDIVISION  
**Criminal Division**

3. MINOR SUBDIVISION **Office of Enforcement Operations, Witness Immunity Unit**

4. NAME OF PERSON WITH WHOM TO CONFER  
*Edgar N. Brown*  
**Edgar N. Brown**

5. TELEPHONE  
**202-514-5541**

LEAVE BLANK (NARA use only)

JOB NUMBER **NI-060-97-5**

DATE RECEIVED **6-12-97**

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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

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 2 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; or  has been requested.

DATE: **06-05-97** SIGNATURE OF AGENCY REPRESENTATIVE: *Bernard W. Berglund* TITLE: **Records Officer**

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	<p align="center"><b>WITNESS IMMUNITY UNIT RECORDS</b></p> <p align="center"><b>Mission</b></p> <p>Reviews all requests for authorization to immunize witnesses in federal criminal cases pursuant to 18 U.S.C. 6001, <u>et seq.</u>, and recommends approval or disapproval to the Assistant Attorney General.</p> <p>Under a policy directive, reviews all requests from federal prosecutors to subpoena an attorney in a matter arising out of that attorney's representation of a client.</p> <p>Dual Prosecution Policy. Pursuant to Department policy, reviews all requests to prosecute individuals on federal charges subsequent to their prosecution on the same or similar charges by state authorities.</p> <p><b>All changes to this proposed schedule have been approved by:</b></p> <p><i>[Signature]</i> <u>4/25/02</u> NARA appraiser                      date                      Agency representative                      date</p>		<p align="center"><b>WITHDRAWN</b> <b>9-23-02</b></p>

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7.  
ITEM  
NO.

8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION

9. GRS OR  
SUPERSEDED  
JOB CITATION

10. ACTION  
TAKEN (NARA  
USE ONLY)

Third Party Searches. Under 28 C.F.R. 59, a disinterested third party physician, lawyer, or clergyman cannot be the subject of a search warrant in a criminal case without the authorization of a Deputy Assistant Attorney General in the Criminal Division. Gives advice on the subject and reviews such search requests.

1. Attorney search warrant files. Effective law enforcement may require the issuance of a search warrant for the premises of an attorney who is the subject of an investigation, and who also is or may be engaged in the practice of law on behalf of clients. Extreme care is taken to avoid impinging on valid attorney-client relationships. Files are maintained by month in chronological order. An automated locator system identifies a subject to the date. Files consist of the affidavit, warrant and any special instructions. Files are cut off annually.

Disposition: Transfer to the Washington National Records Center (WNRC) one (1) year after cutoff. Destroy 10 years after cutoff.

2. Immunities. Files consist of the request form, memorandum of the Unit attorney, and the authorization letter. For control purposes, this material is given a 84381 straight number (reference NARA Job # N1-60-88-11, Item 2); however, the retention needs of the Witness Immunity Unit are operationally different. Files are maintained in chronological order based on the approval date of the authorization letter and are cut off annually.

Disposition: Transfer to the WNRC two (2) years after cutoff. Destroy 20 years after cutoff.

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7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
3.	<p><u>Attorney Subpoenas.</u> Files consist of the request form, copy of subpoena, Memorandum from the Unit attorney, and the authorization letter. For control purposes this material is given a 233279 straight number (reference NARA Job # N1-60-88-11, Item 6B); however, the retention needs of the Witness Immunity Unit are operationally different. Files are maintained in chronological order based on the approval date of the authorization letter and are cut off annually.</p> <p><u>Disposition:</u> Transfer to the WNRC two (2) years after cutoff. Destroy 10 years after cutoff.</p>		
4.	<p><del><u>Dual Prosecution Policy.</u> Files consist of memorandum from the requestor, memorandum from the Unit attorney, and the authorization letter. Files are maintained in chronological order based on the approval date of the authorization letter, and are cut off annually.</del></p> <p><del><u>Disposition:</u> Transfer to the WNRC two (2) years after cutoff. Destroy 10 years after cutoff.</del></p>		
5.	<p><u>Multi-District (Global) Agreement Requests; Pre-Trial Diversions; Resubpoenaing Contumacious Witness before Seccessive Grand Juries; Approval to Resubmit the Same Matter to a Grand Jury; and Prosecution of Previously Immunized Witnesses.</u> All of these records series files contain the memorandum from the requestor; memorandum from the Unit attorney; and the authorization letter. Files are maintained chronologically by approval date of the letter of authorization.</p> <p><u>Disposition:</u> Destroy 10 years after approval date of the letter of authorization.</p>		

*See attached revision*

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