

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-317-02-002

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 06/05/2022

ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

Items 1a, 1b, 2, 3a and 3b

SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Items 5.1 and 5.2 are superseded by GRS 5.1, item 020 (DAA-GRS-2016-0016-0002)

REQUEST FOR RECORDS DISPOSITION AUTHORITY		LEAVE BLANK (NARA use only)	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001		JOB NUMBER <i>N1-317-02-2</i>	
1. FROM (Agency or establishment) U. S. Department of Labor		Date Received <i>12/30/2005 (9/3/2002)</i>	
2. MAJOR SUB DIVISION Employee Benefits Security Administration		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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	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 Office of Regulations and Interpretations			
4. NAME OF PERSON WITH WHOM TO CONFER Rudy Nuissl	5. TELEPHONE (202)693-8504	DATE <i>1/22/06</i>	ARCHIVIST OF THE UNITED STATES <i>Allen Weinstein</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>4</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 of 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 <i>12/21/05</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i>		TITLE <i>DOL Records Officer</i>
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	See attached sheets SEE ATTACHED SHEETS		
<i>cc Agency NWMW</i>			

1. (N1-317-02-2/Item 1) Advisory Opinion/Information Letter Request File

Records in this series consist of incoming correspondence and attached background information, internal memoranda, and other documents relating to requests for advisory opinions and information letters interpreting and applying the provisions of Title I of the Employee Retirement Income Security Act (ERISA) and the Federal Employees Retirement System Act (FERSA). Requests result in issuance of an acknowledgment letter, advisory opinion letter, information letter, or a letter declining the request.

Disposition:

a. Advisory Opinion Letters and Significant Information Letters (SILs).

TEMPORARY: Close case file when case is resolved. Place in closed case file series. Cut off closed file at end of fiscal/calendar year. Transfer closed case files to Federal Record Center three (3) years after cut-off. Destroy closed files twenty-five (25) years after cut-off. The first disposal of Advisory Opinion Letters and Significant Information Letters (SILs) will occur in March 2031, twenty five years and 3 months after closure of 2005 case files.

b. All other information letters. **TEMPORARY.** Close case file when case is resolved. Place in closed case file series. Cut off closed file at end of fiscal/calendar year. Destroy 3 years after case is closed.

NOTE: Some DOL/EBSA Advisory and Information case files may be worthy of permanent retention if they significantly interpret DOL/EBSA regulations, reflect significant developments, or attract extensive public attention. These should be brought to the attention of NARA via a SF-115, Request for Disposition Authority, so that they can be appraised and appropriate disposition authorized.

2. (N1-317-02-2/Item 2) Technical Assistance Case Files

Records in this series consist of correspondence, memoranda, and related documents from Department of Labor (DOL) agencies and other Federal agencies requesting the interpretation and application of Title I of the Employee Retirement Income Security Act (ERISA). The records are used to support litigation and enforcement actions.

Disposition:

TEMPORARY. Close case file when case is resolved. Place in closed case file series. Cut off closed file at end of fiscal/calendar year. Transfer closed case files to Federal Record Center three (3) years after cut-off. Destroy closed files twenty-five (25) years after cut-off.

NOTE: Some Technical Assistance case files may be worthy of permanent retention if they significantly interpret DOL/EBSA regulations, reflect significant developments, or attract extensive public attention. These should be brought to the attention of NARA via a SF-115, Request for Disposition Authority, so that they can be appraised and appropriate disposition authorized.

3. (N1-317-02-2/Item 3) Regulation Files

This series consists of correspondence, public comment letters, memoranda, and other documents relating to the development and issuance of a regulation, interpretive bulletin, ruling, and technical release or similar guidance relating to Title I of the Employee Retirement Income Security Act (ERISA) or to the Federal Employee Retirement System Act (FERSA).

a. Regulations Published in Code of Federal Regulations (CFR)

Disposition: **TEMPORARY**. Close file upon publication of final regulation in CFR. Place in published regulation series. Cut-off published regulation files at end of fiscal/calendar year. Transfer closed case files to Federal Record Center three (3) years after cut-off. Destroy closed files twenty-five (25) years after cut-off, or when no longer needed for business, legal, or administrative purposes, whichever is longest.

b. Regulations Not-Published in Code of Federal Regulations (CFR)

Disposition: **TEMPORARY**. Close file upon final decision not to promulgate regulation in CFR. Place in un-published regulation series. Cut-off published regulation files at end of fiscal/calendar year. Transfer closed case files to Federal Record Center three (3) years after cut-off. Destroy closed files twenty-five (25) years after cut-off.

NOTE: Some DOL/EBSA Regulation case files may be worthy of permanent retention if they significantly interpret DOL/EBSA regulations, reflect significant developments, or attract extensive public attention. These should be brought to the attention of NARA via a SF-115, Request for Disposition Authority, so that they can be appraised and appropriate disposition authorized.

~~4. Office of Regulations and Interpretation (ORI) Correspondence Tracking System~~

~~The Correspondence Tracking System (CTS) provides for the automated tracking of correspondence and actions concerning a particular case from its initiation to its completion. Information includes all requests for opinions received from such entities as law firms and individual citizens.~~

Disposition:

- a. ~~Inputs: The sources of this information are derived from requests for advisory opinions and information letters, technical assistance letters, memoranda interpreting and applying the provisions of Title I of the Employee Retirement Income Security Act (ERISA) and the Federal Employees Retirement System Act (FERSA).~~

~~File according to items 1a, b, and 2 of this schedule.~~

- b. ~~Master File: Data related to Advisory Opinions, Significant Information Letters, as well as Technical Assistance Letters and memoranda.~~

~~**TEMPORARY.** Delete with related records or when agency determines that they are no longer needed for administrative, legal, audit, or other operational purposes, whichever is later. GRS 20, Item 9.~~

- c. ~~Outputs: These include a variety of inventory reports in hardcopy reflecting all cases and their status. Outputs include such fields as the name of the requestor, the requestor's client's name, the analyst assigned the case, the dates of receipt and closure, a citation of the section of the ERISA applicable to the case (if pertinent), and the final action taken on the case indicating the manner of its closure (Print File).~~

~~**TEMPORARY.** Destroy/Delete when the agency determines that they are no longer needed for legal, audit, or other operational purposes (GRS 20, 6).~~

- d. ~~System Documentation: Including instructions on entering and retrieving data in the tracking system, record layouts, codebooks, and related information.~~

~~**TEMPORARY.** Destroy/Delete when superseded or obsolete, or upon authorized deletion of the related master file or database or upon destruction of the output of the system if the output is needed to protect legal rights, whichever is latest. GRS 20, Item 11a.~~

5. (N1-317-02-2/4) Electronic Mail and Word Processing System Copies

Electronic copies of records that are created and used solely to generate a recordkeeping copy of the records covered by the other items in this schedule. Also, includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

1. Copies that have no further administrative value after the recordkeeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard

disk or network drives, and copies on shared network drives that are used only to produce the recordkeeping copy.

Destroy/delete within 180 days after the recordkeeping copy has been produced

2. Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.

Destroy/delete when dissemination, revision, or updating is completed.