

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER N1-317-09-2	
1 FROM (Agency or establishment) U. S. Department of Labor		DATE RECEIVED 9/28/09	
2 MAJOR SUBDIVISION Employee Benefits Security Administration		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION Office of Enforcement			
4 NAME OF PERSON WITH WHOM TO CONFER Pam Rhodes	5 TELEPHONE 202-693-8488	DATE 11/11/09	ARCHIVIST OF THE UNITED STATES [Signature]

6 AGENCY CERTIFICATION		
I hereby certify that I am authorized to act for this agency in the matters pertaining to the disposition of its records and that the records proposed for disposal attached <u>3</u> page(s) are not 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,		
<input checked="" type="checkbox"/> is not required, <input type="checkbox"/> is attached, or, <input type="checkbox"/> has been requested		
DATE 9-17-2009	SIGNATURE OF AGENCY REPRESENTATIVE Karen H. Nunley <i>[Signature]</i>	TITLE Departmental 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 GRS OR SUPERSEDED JOB CITATION	10.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 - 4	Comprehensive Records Schedule U.S. Department of Labor Employee Benefit Security Administration (EBSA) Office of Enforcements See attached detailed descriptive listing for the EBSA Office of Enforcement records series.	N9-317-00-02	

**U.S. Department of Labor
Employee Benefits Security Administration
Office of Enforcement
Records Retention Schedule**

The Employee Benefits Security Administration (EBSA); formally known as the Pension and Welfare Benefits Administration (PWBA), provides for the administration and enforcement of the Employee Retirement Income Security Act of 1974 (ERISA), approved September 2, 1974 (88 Stat.829, U S C. 1001 note) The Act is administered by the Department of Labor and Treasury, and the Pension Benefit Guaranty Corporation and protects the integrity of pensions, health plans, and other employee benefits for more than 150 million Americans covered by more than 679,000 private retirement plans, 25 million health plans and similar numbers of other welfare benefit plans The Welfare and Pension Plans Disclosure Act (WPPDA) and its reporting provisions, were repealed by the ERISA on January 1, 1975

The Office of Enforcement promotes the protection of pension and welfare benefits under ERISA by ensuring a strong and effective national and field office enforcement program through policy formulation, project identification and program planning; guidance development and implementation; field liaison; and field and project evaluation Investigations to detect and correct violations of Title I of ERISA and related criminal laws are conducted by the investigative staff in EBSA's field offices.

The Office of Enforcement is composed of the Division of Field Operations, which coordinates national civil enforcement policy with EBSA field offices and various governmental agencies; the Division of Enforcement Support, which oversees national targeting efforts and provides technical and administrative assistance to EBSA field offices, and the Deputy Director for Criminal Enforcement, who coordinates national criminal enforcement policy with EBSA field offices and with other governmental agencies such as the Department of Justice

Note: The disposition instructions in this schedule apply to records regardless of physical form or characteristics. Records may be maintained in any format or any medium. The records are media neutral unless otherwise noted.

This records retention schedule Supersedes Records Schedule N9-317-00-02 in its entirety.

- 1 **Investigative Case Files.** Correspondence, complaints, investigative reports and exhibits related to ERISA investigations Arranged numerically by case number

- a. **Primary Case Files.** Accumulated by region assigned primary investigative responsibility

- (1) **Cases referred for legal action.**

Disposition. TEMPORARY. Cut off and remove from active files when litigation is completed Transfer to Federal Records Center when one (1) year old Destroy when seven (7) years old.

- (2) **All other cases.**

Disposition. TEMPORARY. Cut off and remove from active files when case is closed. Transfer to Federal Records Center when one (1) year old. Destroy when seven (7) years old

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- b **Auxiliary Case Files** Accumulated by office assigned auxiliary investigative responsibility

(1) **Original exhibits and other records necessary to document the investigation.**

Disposition. TEMPORARY. Remove active files when litigation is completed Forward to region having primary investigative responsibility, which will incorporate these records into the primary case files (items 1a(1) and 1a(2) above)

(2) **All other records**

Disposition. TEMPORARY. Remove from active files when case is closed Destroy when one (1) year old

~~e **Electronic records received from outside sources.**~~

~~**Disposition.** TEMPORARY. Transfer to storage media when the case is closed Incorporate storage media into the primary case files (items 1a(1) and 1a(2) above)~~

No Disposition

~~d **Electronic mail, word processing and spreadsheet records created on electronic mail, word processing and spreadsheets systems which are accumulated by the region assigned primary investigative responsibility**~~

~~**Disposition.** TEMPORARY. Transfer to storage media when the case is closed Incorporate storage media into the primary case files (items 1a(1) and 1a(2) above)~~

No Disposition

- 2 **Voluntary Fiduciary Correction Program Application Files.** Applications, correspondence, reports and exhibits related to ERISA Voluntary Fiduciary Correction Program Arranged numerically by application number Accumulated by region assigned primary responsibility

Disposition. TEMPORARY Cut off and remove active files when application is closed Transfer to Federal Records Center when one (1) year old Destroy when seven (7) years old

3. **Enforcement Management System.**

- a ~~**Inputs.**~~ Staff assignments, hours involved on case and other information necessary for tracking case load, indexing case information and managing the case including information that is taken from investigative case files covered by item 1 above

~~**Disposition.** TEMPORARY Delete/destroy when no longer needed~~

*GRS 20
Item 2A(4)*

- b. ~~**System generated data including case numbers and electronic dates.**~~

~~**Disposition.** TEMPORARY. Delete/destroy when no longer needed~~

*GRS 23
Item 8*

- c ~~**Outputs.**~~ Summary reports used for analysis May be in textual or electronic format

~~**Disposition.** TEMPORARY. Delete/destroy when no longer needed~~

*GRS 20
Items 5, 12A*

~~d—System Documentation—Documentation needed to access and use the Enforcement Management System~~

GRS 20
Item 11A(1)

~~**Disposition. TEMPORARY.** Destroy/delete when updated or no longer needed~~

- 4 **Other Records.** Correspondence, newspaper clippings, and other records that document intelligence information concerning individuals and organizations either subject to provisions of ERISA or parties relevantly associated with the Act

a—~~Documents forming a basis for investigative actions.~~

~~**Disposition. TEMPORARY.** Transfer to the appropriate investigative case files (items 1a (1) and 1a (2) above)~~ No Disposition

b All other records.

Disposition. TEMPORARY. Cut off annually Destroy when three (3) years old Do not retire to the Federal Records Center

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