

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b> <i>(See Instructions on reverse)</i>		<b>DO NOT WRITE IN THESE SPACES</b> <b>DO NOT WRITE IN THESE SPACES</b>	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER <b>11-59-08-13</b>	
1 FROM (Agency or establishment) Department of State		DATE RECEIVED <b>4/21/08</b>	
2 MAJOR SUBDIVISION Office of the Legal Adviser		<b>NOTIFICATION TO AGENCY</b>  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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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 Legal Adviser for Ethics and Employment Law			
4. NAME OF PERSON WITH WHOM TO CONFER Margaret E Keapproth	5 TELEPHONE (202) 663-2170	DATE <b>1-13-09</b>	ARCHIVIST OF THE UNITED STATES <i>Adrienne Thomas</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 6 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 <b>4/14/08</b>	SIGNATURE OF AGENCY REPRESENTATIVE Tasha M Thian <i>Tasha M Thian</i>	TITLE Department Records Officer
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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 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	Please see attached pages		

## Legal Adviser for Ethics and Employment Law

### 1. Ethics and Employment Law Case Files

**Description:** Legal Briefs and other legal documents, including depositions, trial and/or hearing transcripts, and exhibits; memorandums, telegrams, correspondence, court documents, and other legal documentation accumulated while providing advice in support of litigation brought against the Department. Arranged by name of individual and case number

a. EEO Complaints in EEOC, OFO, and federal court.

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 10 years after Department's final response.

b. Merit System Protection Board cases. Includes Foreign Service and Civil Service.

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 10 years after Department's final response.

**DispAuthNo:** New item

~~c. Personnel Grievance Cases.~~

~~(1) Civil Service Employees.~~

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 7 years after Department's final response.

**DispAuthNo:** GRS 1, item 30a & b

d. Personnel Grievance Cases.

(2) Foreign Service Employees (exception from GRS 1 item 30a & b).

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 20 years after Department's final response.

**DispAuthNo:** N1-59-95-11, item 29c (2)

e. Unfair Labor Practices and other Union Disputes. Includes: (1) Civil Service Employees; (2) Foreign Service Employees; (3) Union Institutional matters; (4) Investigative Cases.

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 10 years after Department's final response.

f. Labor Arbitrations.

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 10 years after Department's final response.

**DispAuthNo:** New item

g. Touhy Regulation Cases

**Disposition:** Temporary. Retire to records center 6 months after Department's final response. Destroy 5 years after case is closed.

**DispAuthNo:** New item

## **2. Employment Law Subject Files**

**Description:** Telegrams, memorandums, draft statements, guidance, facsimilies, interpretation of laws and regulations, and other documentation used to provide advice concerning personnel issues to client bureaus in cases that may or may not result in litigation.

**Disposition:** Permanent. Retire to records center as space requirements and frequency of use dictate. Transfer to the National Archives when 25 years old.

**DispAuthNo:** N1-59-95-11, item 30

## **3. Ethics Subject Files**

**Description:** Telegrams, handwritten notes, memorandums, statements, guidance, facsimilies, laws and regulations, and other documentation used to provide advice concerning ethical issues to client bureaus.

**Disposition:** Temporary. Retire to records center as space requirements and frequency of use dictate. Destroy 2 years after receipt by records center.

**DispAuthNo:** N1-59-95-11, item 31

#### 4. Nominations Files

**Description:** Nomination papers ~~(SF-278)~~ and White House Personal Data Statement, campaign contribution forms, SFRC questionnaires, financial disclosure reports (SF-278), correspondence, memorandums, instructions, and other documentation relating to nominations for Ambassadors to foreign countries, U.S. representatives to delegations of international organizations, and Senate confirmed nominees at the level of Assistant Secretary and above. Arranged overall by type and name of nominee.

(B)  
10/29/10

a. Confirmed Nominees.

**Disposition:** Temporary. Retire to records center 3 years after certification. Destroy 6 years after certification. Note: OGE Rule.

**DispAuthNo:** N1-59-95-11, item 32a

b. Unconfirmed Nominees.

**Disposition:** Temporary. Destroy 1 year after nominee is withdrawn. Note: OGE Rule.

**DispAuthNo:** N1-59-95-11, item 32b

#### 5. Nominations Summary Log

**Description:** A ledger used as a tracking record from beginning of nomination to confirmation or non-confirmation.

**Disposition:** Temporary. Destroy 6 years after last entry in log.

**DispAuthNo:** N1-59-95-11, item 33

## **6. Pre-employment Clearance Files**

**Description:** Memorandums, position descriptions, financial disclosure reports, and other background material and other documents used to obtain pre-employment clearances for individuals prior to filling covered positions as required by the Ethics Government Act and Ethics Reform Act. Arranged in chronological order by month.

**Disposition:** Temporary. Retire to records center 3 years after individual assumes position. Destroy 6 years after individual assumes position.

**DispAuthNo:** New item. Formerly N1-59-95-11, item 34

## **7. Master List of Annual SF-278, Public Financial Disclosure Report Filers**

**Description:** List of all employees required to submit an incumbent financial disclosure report as required by Ethics and Government Act and Ethics Reform Act. Arranged in alphabetical order by last name.

**Disposition:** Temporary. Retire to records center as space requirements and frequency of use dictate. Destroy 2 years after receipt by records center.

**DispAuthNo:** New item

## **8. Incumbent, New Entrant, and Termination SF-278, Public Financial Disclosure Report**

**Description:** Memorandums, position description descriptions, financial disclosure reports, and other background information used to analyze all financial holdings and outside positions disclosed on form to determine if an actual or potential conflict of interest exists. Arranged in alphabetical order by last name.

**Disposition:** Temporary. Destroy all other SF-278 reports when 6 years old; Except documents needed in an ongoing investigation which will be retained until no longer needed in the investigation.

**DispAuthNo:** GRS 25, Item 2(a) (2)

**9. Incumbent and New Entrant OGE-450, Confidential Financial Disclosure Report**

**Description:** Memorandums, position descriptions, financial disclosure reports, and other background information used to analyze all financial holdings and outside positions disclosed on form to determine if an actual or potential conflict of interest exists.

**Disposition:** Temporary. Destroy all other OGE Form 450s when 6 years old; Except documents needed in an ongoing investigation which will be retained until no longer needed in the investigation.

**DispAuthNo:** GRS 25, Item 2(b) (2)

**10. Ethics Training Record**

**Description:** Electronic listing of all employees who have taken ethics training in a calendar year. Arranged in alphabetical order by last name

**Disposition:** Temporary. Block annually. Destroy after 6 years.

**DispAuthNo:** New item

**11. Semi-Annual Report of Acceptance of Non-Federal Funding for Travel**

**Description:** Listing of all bureaus or post employees who have been approved to accept non-federal funding for travel, lodging, or meals on behalf of the Department in an official capacity. Arranged in alphabetical order by bureau or post.

**Disposition:** Temporary. Destroy after 1 year of sending report to OGE. NOTE: OGE Rule.

**DispAuthNo:** New item