

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0330-2022-0010

Status: APPROVED
Date Approved: 09/15/2023

General Information

Agency or Establishment	Office of the Secretary of Defense
Record/Scheduling Group	0330 - Records of the Office of the Secretary of Defense
Records Schedule Applies to	Agency Subdivision
Major Subdivision	OSD Components, Defense Agencies and Field Activities
Schedule Subject	Legal Advice and Opinions Records of OSD Components, Defense Agencies and Field Activities
Additional Schedule Information	<p>The Office of the Secretary of Defense (OSD) is a headquarters-level staff of the Department of Defense of the United States of America. It is the principal civilian staff element of the Secretary of Defense, and it assists the Secretary in carrying out authority, direction and control of the Department of Defense in the exercise of policy development, planning, resource management, fiscal, and program evaluation responsibilities.</p> <p>General Counsel of the Department of Defense:</p> <p>The General Counsel of the Department of Defense is the chief legal officer of the Department of Defense, advising both the Secretary and Deputy Secretary on all legal matters and services, and providing legal advice to Office of the Secretary of Defense organizations and, as appropriate, other DOD components.</p> <p>Purpose:</p> <p>The intent of this schedule is to address records and information created by Defense Agencies or Field Activities General Counsels and OSD Component Attorneys and support staff as defined below.</p> <p>Definition:</p> <p>Component Attorneys - Attorneys hired directly by the OSD Component, overseen by GC DoD in accordance Attorneys' Code of Ethics, but DO NOT fall under the authority, direction, and control of the Director of the DLSA (GC, DoD) per DoDI 1442.10.</p> <p>Defense Agencies or Field Activities General Counsels - The General Counsels of the Defense Agencies and DoD Field Activities, under the authority, direction, and control of the Director of the DLSA (GC, DoD).</p>

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Is there a classified version of this form? No

Is consultation and coordination with Tribal Governments required? No- The records covered by this schedule do not implicate Tribal interests

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Item Count

Total number of disposition items: 2

Number of Temporary disposition items: 1

Number of Permanent disposition items: 1

Number of Items with Disposition Not Approved: 0

Number of Inactive disposition items: 0

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Outline of Records Schedule Items for DAA-0330-2022-0010

Item #	Title	Disposition
0001	Legal Advice and Opinions Records of OSD Components, Defense Agencies or Field Activities : Legal Advice and Opinions Records of OSD Components, Defense Agencies or Field Activities	Temporary
0002	Legal Advice and Opinions Records of OSD Components, Defense Agencies or Field Activities : Significant Legal cases of OSD Component, Defense Agency or Field Activity	Permanent

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Records Schedule Items

Group Title	Legal Advice and Opinions Records of OSD Components, Defense Agencies or Field Activities
Group Description	This records series describes the records and information created, received and maintained by attorneys and general counsels assigned to OSD Components, Defense Agencies or Field Activities offices and personnel that do not fall organizationally under the direction or authority of the Office of the General Counsel of the Department of Defense in order to provide legal advice, opinions, assistance and counsel to the Heads of OSD organizations.
DAA-0330-2022-0010-0001	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Legal Advice and Opinions Records of OSD Components, Defense Agencies or Field Activities
Item Description	Records created and received by attorneys and general counsels, assigned to directly support the OSD Components, Defense Agencies or Field Activities concerning legal advice, opinions, and reviews of legal terms. Subject areas include but are not limited to: Acquisition, civil government, contracts, fiscal matters and other records relating to the roles, responsibilities, operations, activities, and/or compliance with laws and regulations in diverse areas of fiscal law, procurement, standards of conduct, protection and dissemination of information, international law, civilian personnel, military justice, and investigations specific to each OSD Component, Defense Agency or Field Activity.
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS	
Does this item supersede existing disposition authorities?	No
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Temporary
Cutoff Instructions	Other: Cut off annually upon completion.
Retention Period	Destroy 15 year(s) after Cut Off

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ADDITIONAL INFORMATION	
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No
DAA-0330-2022-0010-0002 STATUS: Active	
ITEM GENERAL INFORMATION	
Item Title	Significant Legal cases of OSD Component, Defense Agency or Field Activity
Item Description	<p>Cases that interpret the basic statutes and regulations or reflect significant developments applicable to individual OSD Component, Defense Agency or Field Activity concerning legal advice, opinions, and reviews of legal terms. Subject areas include but are not limited to: Acquisition, civil government, contracts, fiscal matters and other records relating to the roles, responsibilities, operations, activities, and/or compliance with laws and regulations in diverse areas of fiscal law, procurement, standards of conduct, protection and dissemination of information, international law, civilian personnel, military justice, and investigations specific to each OSD Component, Defense Agency or Field Activity.</p> <p>Significant Legal cases are defined as:</p> <ol style="list-style-type: none"> 1. Case file documenting the legal impact on statutes, rules or regulations or-law enforcement policies on the individual OSD Component, Defense Agency or Field Activity. 2. An OSD Component, Defense Agency or Field Activity investigation or case files dealing with Natural Disasters, Man-Made Events, Real or potential breakdowns of public order (civil disturbances). <p>Note: Does not include Legal Advice and Opinions Records generated in response to request by GC, DoD, these records are retained under item 1.</p>
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS	
Does this item supersede existing disposition authorities?	No
Is this item a deviation from the GRS?	No

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DISPOSITION INSTRUCTION	
Final Disposition	Permanent
Cutoff Instructions	Other: Cut off annually upon completion.
Are there multiple instructions for this item?	No
Transfer Instruction	Transfer to the National Archives 25 year(s) after cut off or cut off and declassification
ADDITIONAL INFORMATION	
Current Records Format	Textual data:10 mb
Approximate first year of records covered by this authority	2023
End year of records covered by this authority	Still being created
Frequency of transfer	1
Are any of the records covered by this item subject to a FOIA exemption?	Yes
FOIA Exemption(s)	FOIA (b)(5) Inter-agency or Intra-agency Memorandums or Letters Not Available by Law

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Signatory Information

Action	User	Date
Accept	Data Migration	06/16/2022
Approve	Colleen Shogan	09/15/2023