

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0060-2023-0001

Status: APPROVED
Date Approved: 07/10/2024

General Information

Agency or Establishment	Department of Justice
Record/Scheduling Group	0060 - General Records of the Department of Justice
Records Schedule Applies To	Agency Subdivision
Major Subdivision	U.S. Trustee Program (USTP)
Minor Subdivision	The Executive Office for United States Trustees (EOUST)
Schedule Subject	Credit Counseling and Debtor Education Records
Additional Schedule Information	<p>The United States Trustee Program (USTP) is the component of the Department of Justice responsible for overseeing the administration of bankruptcy cases and private trustees under 28 U.S.C. § 586 and 11 U.S.C. § 101, et seq. (Bankruptcy Code). The USTP is a national program with broad administrative, regulatory, litigation and enforcement authority whose mission is to promote the integrity and efficiency of the bankruptcy system for the benefit of all stakeholders.</p> <p>The Credit Counseling and Debtor Education Unit (CC/DE) of the USTP was created in 2005, as a result of amendments to the Bankruptcy Code that took effect on October 17, 2005. Under the new provisions, individuals are required to receive credit counseling and a budget analysis from a USTP approved nonprofit budget and credit counseling agency (agency) within 180 days prior to filing a bankruptcy petition. Also, an individual debtor is required to take a personal financial management course from a USTP approved debtor education provider (provider) before receiving a bankruptcy discharge. The United States Trustees approve credit counseling agencies and debtor education providers, with assistance from CC/DE, after determining that their qualifications meet the standards set forth in the Bankruptcy Code and related regulations. Once approved, agencies and providers can provide services to individuals and generate certificates to be filed with the courts evidencing fulfillment of the Bankruptcy Code requirements.</p>
Is There a Classified Version of This Schedule?	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: 4

Number of Temporary disposition items: 4

Number of Permanent disposition items: 0

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-0060-2023-0001

Item #	Title	Disposition
0001	Program Administration	Temporary
0002	Agency and Provider Applications	Temporary
0003	Quality of Service Reviews	Temporary
0004	Complaints, Inquiries and Activity Reports	Temporary

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Records Schedule Items

DAA-0060-2023-0001-0001		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Program Administration	
Item Description	This item covers records relating to the mission specific administration of CCDE in its entirety as mandated by the Bankruptcy Code, as well as 28 C.F.R. §§ 58.12 - 58.36, and pertains to the tracking and oversight of all agencies and providers. Records in this item include, but are not limited to, CCDE procedures and models, reports, communications sent to all agencies and providers, and the current tracking and certificate generating systems.	
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?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-060-09-053 / 2/a	No	
N1-060-09-053 / 2/b	No	
N1-060-09-053 / 2/c	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Other: Cutoff at end of calendar year in which record is created	
Retention Period	Destroy 20 year(s) after cutoff	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	

DAA-0060-2023-0001-0002		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Agency and Provider Applications	

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Item Description	This item covers completed application forms including appendices and supporting documentation; applications that are incomplete, withdrawn, or rejected; correspondence regarding applications; materials relied upon during application review; and internal review memoranda.
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: Cutoff is the end of the calendar year of the date of receipt of the application.
Retention Period	Destroy 10 year(s) after cutoff
ADDITIONAL INFORMATION	
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No

DAA-0060-2023-0001-0003	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Quality of Service Reviews
Item Description	This items covers records related to quality of service reviews, which are periodic, in-depth reviews and assessments of a specific agency's or provider's program and its compliance with the Bankruptcy Code, as well as 28 C.F.R. §§ 58.12 - 58.36. Records in this item include but are not limited to correspondence concerning non-compliance and actions to be taken, including all records associated with any adverse determinations and associated administrative appeals.
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	Temporary
Cutoff Instructions	Other: Cutoff at end of calendar year that last action is taken
Retention Period	Destroy 10 year(s) after cutoff
ADDITIONAL INFORMATION	
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No

DAA-0060-2023-0001-0004	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Complaints, Inquiries and Activity Reports
Item Description	This item cover records related to complaints against agencies and providers regarding non-compliance with the Bankruptcy Code and related regulations or other misconduct made by (1) the public, (2) USTP personnel, (3) bankruptcy courts or (4) agencies and providers. This item also covers records related to inquiries made by (1) the public, (2) USTP personnel, (3) bankruptcy courts or (4) agencies and providers. Finally, this item covers activity reports submitted by agencies and providers twice a year which detail the number of certificates issued by them as well as related fees paid by clients.
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: Cutoff at end of calendar year that last action is taken or report is issued
Retention Period	Destroy 10 year(s) after cutoff
ADDITIONAL INFORMATION	
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No

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Signatory Information

Action	User	Date
Accept	Data Migration	10/31/2022
Approve	Colleen Shogan	07/10/2024