

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0403-2023-0001

Status: APPROVED
Date Approved: 01/21/2025

General Information

Agency or Establishment	Equal Employment Opportunity Commission
Record/Scheduling Group	0403 - Records of the Equal Employment Opportunity Commission
Records Schedule Applies To	Agency-wide
Schedule Subject	Legal Records
Additional Schedule Information	This schedule covers legal records maintained in the Office of General Counsel, Office of Legal Counsel, and Field Office Legal Units.
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: 11

Number of Temporary disposition items: 8

Number of Permanent disposition items: 3

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-0403-2023-0001

Item #	Title	Disposition
0001	General Legal Subject Files	Temporary
0002	Litigation Case Files : Defensive Litigation Case Files Against the Commission	Temporary
0003	Litigation Case Files : Appellate Litigation Case Files	Permanent
0004	Litigation Case Files : Enforcement Litigation Case Files	Temporary
0005	Litigation Case Files : Defensive Litigation Case Files (EEOC Oversight Matters)	Temporary
0006	Litigation Case Files : Historically Significant Enforcement Litigation Case Files	Permanent
0007	Litigation Case Files : Historically Significant Defensive Litigation Case Files	Permanent
0008	Nonimmigrant Classification Petition Certification Requests	Temporary
0009	Subpoenas	Temporary
0010	Attorney Working Files	Temporary
0011	Claims Case Files	Temporary

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Records Schedule Items

DAA-0403-2023-0001-0001		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	General Legal Subject Files	
Item Description	Records relating to the administration and execution of the legal unit. Records include: correspondence, legal advice and assistance, memoranda, reports, procedures, data analyses, and other related records.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
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	Cut off at end of Fiscal year.	
Retention Period	Destroy 7 year(s) after cutoff	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	

Group Title	Litigation Case Files	
Group Description	Official case files pertaining to court litigation matters. Records include: litigation recommendations, briefs, court dockets, subpoenas, motions, court orders, pleadings, discovery materials, answers, mediation documents where the EEOC is a party to the litigation, consent decrees, and other related legal documents.	
DAA-0403-2023-0001-0002		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Defensive Litigation Case Files Against the Commission	

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Item Description	Case files relating to claims brought against the Commission by EEOC employees, former employees, or applicants, FOIA litigation, and defensive litigation.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-403-08-002/15/B	Yes	Records are being scheduled to separate temporary litigation records previously scheduled as permanent records.
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Cut off at end of Fiscal year when all litigation, appeals, and monitoring have concluded, whichever is later.	
Retention Period	Destroy 7 year(s) after cutoff	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	
DAA-0403-2023-0001-0003	STATUS: Active	
ITEM GENERAL INFORMATION		
Item Title	Appellate Litigation Case Files	
Item Description	Case files relating to appellate litigation where the EEOC participates as amicus curiae, the defendant, or plaintiff.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		

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Does this item supersede existing disposition authorities?	Yes
Superseded Items	
Superseded Item	Item Superseded in Part? Explanation
N1-403-08-002/15/B	Yes Records are being scheduled to separate temporary litigation records previously scheduled as permanent records.
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Permanent
Cutoff Instructions	Other: Cut off at the end of the fiscal year in which the final court action occurred.
Are there multiple instructions for this item?	No
Transfer Instruction	Transfer to the National Archives 15 year(s) after cutoff
ADDITIONAL INFORMATION	
Current Records Format	Paper-based textual records:78
Approximate first year of records covered by this authority	1977
End year of records covered by this authority	Still being created
Date span of the initial transfer	From: 01/30/1977 To: 12/31/2013
Frequency of transfer	1
Are any of the records covered by this item subject to a FOIA exemption?	Yes
FOIA Exemption(s)	FOIA (b)(6) Personal Information
DAA-0403-2023-0001-0004	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Enforcement Litigation Case Files
Item Description	Case files relating to litigation where the EEOC participates as the plaintiff pertaining to EEOC's enforcement litigation matters. Records include subpoenas, applications for temporary restraining orders, settlement or consent decrees, and other related records.
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
MANUAL CITATION	
Agency Code	403

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Manual Title	Records of the Equal Employment Opportunity Commission	
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Does this item supersede existing disposition authorities?	Yes	
Superseded Items		
Superseded Item	Item Superseded in Part?	Explanation
N1-403-08-002/15/B	Yes	Records are being scheduled to separate temporary litigation records previously scheduled as permanent records.
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Cut off at end of Fiscal year when all litigation, appeals, or monitoring has concluded, whichever is later	
Retention Period	Destroy 7 year(s) after cutoff.	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	
DAA-0403-2023-0001-0005	STATUS: Active	
ITEM GENERAL INFORMATION		
Item Title	Defensive Litigation Case Files (EEOC Oversight Matters)	
Item Description	Case files relating to litigation against the Commission relating to EEOC oversight matters such as EEO regulations, guidance, and technical assistance.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
Superseded Items		
Superseded Item	Item Superseded in Part?	Explanation

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N1-403-08-002/15/B	Yes	Records are being scheduled to separate temporary litigation records previously scheduled as permanent records.
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Cut off at end of Fiscal year when all litigation, appeals, and monitoring have concluded, whichever is later.	
Retention Period	Destroy 7 year(s) after cutoff	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	
DAA-0403-2023-0001-0006	STATUS: Active	
ITEM GENERAL INFORMATION		
Item Title	Historically Significant Enforcement Litigation Case Files	
Item Description	Historically significant enforcement litigation cases file designations apply to whichever phases of litigation meet any of the following criteria. Where a case is bifurcated or otherwise divided into distinct phases of litigation, the historically significant designation applies to whichever phases meet any of these criteria. (1) Case resulted in a major change to agency procedure or policy; (2) Case in which a party filed a petition for a writ of certiorari to the Supreme Court and the Court granted the petition; (3) Case resulted in precedential court decision interpreting an agency-enforced statute or regulation; (4) Case affected a large segment of the community and garnered national public attention; or, (5) Designations as determined by the Deputy General Counsel, Legal Counsel; Regional Attorneys, Assistant General Counsel, Associate General Counsels; or Associate Legal Counsels.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
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Does this item supersede existing disposition authorities?	Yes	

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Superseded Items	
Superseded Item	Item Superseded in Part? Explanation
N1-403-08-002/15/B	No
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Permanent
Cutoff Instructions	Cut off at end of Fiscal year when all litigation, appeals, and monitoring have concluded, whichever is later.
Are there multiple instructions for this item?	No
Transfer Instruction	Transfer to the National Archives 15 year(s) after cutoff.
ADDITIONAL INFORMATION	
Current Records Format	Paper-based textual records:350
Approximate first year of records covered by this authority	2004
End year of records covered by this authority	Still being created
Date span of the initial transfer	From: 01/01/2004 To: 12/31/2012
Frequency of transfer	1
Are any of the records covered by this item subject to a FOIA exemption?	Yes
FOIA Exemption(s)	FOIA (b)(6) Personal Information
DAA-0403-2023-0001-0007	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Historically Significant Defensive Litigation Case Files

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Item Description	Historically significant defensive litigation case file designations apply to whichever phases of litigation meet any of the following criteria. Where a case is bifurcated or otherwise divided into distinct phases of litigation, the historically significant designation applies to whichever phases meet any of these criteria. (1) Case resulted in a major change to agency procedure or policy; (2) Case in which a party filed a petition for a writ of certiorari to the Supreme Court and the Court granted the petition; (3) Case resulted in precedential court decision interpreting an agency-enforced statute or regulation; (4) Case affected a large segment of the community and garnered national public attention; or, (5) Designations as determined by the Deputy General Counsel, Legal Counsel; Regional Attorneys, Assistant General Counsel, Associate General Counsels; or Associate Legal Counsels.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-403-08-002/15/B	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Permanent	
Cutoff Instructions	Cut off at end of Fiscal year when all litigation, appeals, and monitoring have concluded, whichever is later.	
Are there multiple instructions for this item?	No	
Transfer Instruction	Transfer to the National Archives 15 year(s) after cutoff.	
ADDITIONAL INFORMATION		
Current Records Format	Paper-based textual records:20 cubic feet	
Approximate first year of records covered by this authority	1980	

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End year of records covered by this authority	Still being created
Date span of the initial transfer	From: 01/01/1980 To: 12/31/2013
Frequency of transfer	1
Are any of the records covered by this item subject to a FOIA exemption?	Yes
FOIA Exemption(s)	FOIA (b)(6) Personal Information

DAA-0403-2023-0001-0008		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Nonimmigrant Classification Petition Certification Requests	
Item Description	Records created, received, and maintained relating to requests for EEOC to certify petitions for a U visa for victims of qualifying crimes and/or T visa for victims of human trafficking relating to the unlawful employment discrimination or other EEOC cases. Records include memorandums, Application for T Nonimmigrant Status I-914 form, petition for U nonimmigrant status form I-918 Supplement B, requests for deferred action, recommendations, determination and designation letters, and supporting documentation.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
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	Cut off at end of Fiscal year.	
Retention Period	Destroy 7 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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DAA-0403-2023-0001-0009		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Subpoenas	
Item Description	Subpoenas maintained by OLC issued by the EEOC or courts, attorneys that are served by mail or in-person on an EEOC employee or in an EEOC office or facility requesting information from Agency records. Records include a copy of the subpoena, correspondence, and supporting documentation. (Note: This item excludes subpoenas found in litigation files.)	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
MANUAL CITATION		
Agency Code	403	
Manual Title	Records of the Equal Employment Opportunity Commission	
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	Cut off when the subpoena is resolved.	
Retention Period	Destroy 7 year(s) after cutoff.	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	
GAO Approval Required	No	

DAA-0403-2023-0001-0010		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Attorney Working Files	
Item Description	Files created and maintained by individual attorneys in the course of their daily work or to complete assignments. Included are copies of correspondence, drafts, notes, records of phone conversations, research materials, comments, instructions, and other supporting or background material used in developing official files, but not needed for the official file, other materials not acted upon, and any other documents which do not serve as the basis for official action.	

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Is this item media neutral?	Yes
Is this item a Big Bucket?	No
MANUAL CITATION	
Agency Code	403
Manual Title	Records of the Equal Employment Opportunity Commission
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Does this item supersede existing disposition authorities?	No
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Temporary
Cutoff Instructions	Cut off at end of Calendar year when the assignment is completed.
Retention Period	Destroy 7 year(s) after cutoff.
ADDITIONAL INFORMATION	
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No

DAA-0403-2023-0001-0011	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Claims Case Files
Item Description	Claims case files consisting of reports, witness statements, decisions, and other records related to claims against the government resulting from personal injury, property damage, tort claims, and accident claims, and other business transactions of the agency. (This item excludes records pertaining to claims resulting in litigation which must be filed in the appropriate litigation files.)
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
MANUAL CITATION	
Agency Code	0403
Manual Title	Records of the Equal Employment Opportunity Commission
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS	
Does this item supersede existing disposition authorities?	Yes
Superseded Items	

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Superseded Item	Item Superseded in Part?	Explanation
NC1-403-79-01 / 15A/3a	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Cut off at end of Calendar year after case is closed.	
Retention Period	Destroy 7 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
Approve	Colleen Shogan	01/21/2025