

ED Records Schedule

SCHEDULE LOCATOR NO.: 153

REVISION DATE: 7/7/2009

TITLE: Freedom of Information Act (FOIA) Control Files

PRINCIPAL OFFICE: Department-wide

NARA DISPOSITION AUTHORITY: GRS – See disposition instructions

DESCRIPTION:

Files maintained for control purposes in responding to requests, including registers and similar records listing date, nature, and purpose of request and name and address of requester.

DISPOSITION INSTRUCTIONS:

- a. Registers or listing [GRS 14 Item 13.a]

TEMPORARY

Destroy 6 years after date of last entry.

- b. Other files [GRS 14 Item 13.b]

Destroy 6 years after final action by the agency or after final adjudication by courts, whichever is later.

- c. Freedom of Information Act and Privacy Act Tracking System (FOIAXpress) Master Data Files

The system tracks FOIA and Privacy Act request cases. FOIAXpress is specifically used to create new FOIA request cases, track data and requests, and has document management capabilities. FOIAXpress maintains metadata about the requests (date received, date completed, office responsible for fulfilling request, etc.) and may also contain electronic versions of FOIA requests and copies of responsive documents. Cost data related to the fees owed by and collected from requestors is also maintained. The system data is used for compiling the Secretary's Annual FOIA Report to the Attorney General of the United States.

TEMPORARY

Destroy/delete 6 years after final determination or appeal determination by Department, 6 years after the time at which a requester could file suit, or 3 years after final adjudication by the courts, whichever is later.

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IMPLEMENTATION GUIDANCE:

Follow the disposition instructions in ED 086 Information Systems Supporting Materials for system software; input/source records; output and reports; and system documentation.

Related schedules: ED 151 FOIA Requests Files and ED 152 FOIA Appeals Files.

ARRANGEMENT/ANNUAL ACCUMULATION:

PREVIOUS NARA DISPOSITION AUTHORITY:

SPECIFIC LEGAL REQUIREMENTS:

Freedom of Information Act, 5 U.S.C. § 552

34 C.F.R. § 5

Public Law 90-23

SPECIFIC RESTRICTIONS:

Privacy Act 18-04-01 Freedom of Information Act and Privacy Act Case Files

Privacy Act 18-04-02 Freedom of Information Act and Privacy Act Tracking System

LINE OF BUSINESS: Administration/Departmental