

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: NC1-040-85-01

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 01/24/2022

ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

All other items remain active

SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 1 was superseded by N1-040-03-002, item 1

Item 3 was superseded by N1-040-03-002, item 1

Item 4 was superseded by N1-040-03-002, item 2

Item 6 was superseded by N1-040-03-002, item 9

Item 7 was superseded by N1-040-03-002, item 10

Item 9 was superseded by N1-040-03-002, item 11

Item 11 was superseded by N1-040-03-002, item 12

Item 15 was superseded by N1-040-03-002, item 14

Item 18 was superseded by N1-040-03-002, item 15

Item 23 was superseded by N1-040-03-002, item 8

Item 25 was superseded by N1-040-03-002, item 6

Item 26 was superseded by N1-040-92-003, item 7

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK	
TO GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408		JOB NO NC1-40-85-1	DATE RECEIVED 8-6-85
1 FROM <i>(Agency or establishment)</i> <u>Department of Commerce</u> 2 MAJOR SUBDIVISION		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION <u>Office of the Secretary</u>		In accordance with the provisions of 44 USC 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.	
4 NAME OF PERSON WITH WHOM TO CONFER <u>Office of the General Counsel</u>		5 TELEPHONE EXT <u>377-3630</u>	DATE <u>10-3-86</u>
6 CERTIFICATE OF AGENCY REPRESENTATIVE <u>Daniel J. Rooney</u>		ARCHIVIST OF THE UNITED STATES <u>Frank B. Burke</u>	

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records, that the records proposed for disposal in this Request of _____ 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, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A GAO concurrence is attached, or is unnecessary.

B DATE <u>7/30/85</u>	C. SIGNATURE OF AGENCY REPRESENTATIVE <u>Daniel J. Rooney</u>	D TITLE Department Records Management Officer
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7 ITEM NO	8 DESCRIPTION OF ITEM <i>(With Inclusive Dates or Retention Periods)</i>	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN <i>(NARS USE ONLY)</i>
	<p>The attached Records Control Schedule supersedes the Office of the General Counsel section (items 33-118) of the Office of the Secretary Records Control Schedule (Disposition Job No. NC1-40-79-1) approved by the Archivist of the United States on October 5, 1979. All references in column 9 on the following pages refer to NC1-40-79-1.</p> <p>All changes to this proposed schedule have been approved by:</p> <p><u>Meredith Miller</u> 7/1/86 NARA Appraiser Date <u>Daniel J. Rooney</u> 7/1/86 Agency Representative Date</p>		

26 items

7 ITEM NO	8 DESCRIPTION OF ITEM (It Includes Dates or Retention Periods)	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARS USE ONLY)
	<u>Immediate Office</u>		
1.	<p><u>Legal Program Subject Correspondence Files.</u> Letters, memoranda, opinions, reports, and other correspondence of the General Counsel and Deputy General Counsel that reflect the policies, procedures, functions, and major activities of the central legal program of the Department.</p> <p>PERMANENT. Transfer to WNRC when 4 years old. Offer to the National Archives when 20 years old. <i>IN 5 YEAR BLOCKS</i> <i>(SJC)</i></p>	Items 83 and 85	
2.	<p><u>Special Assistant Subject Correspondence Files.</u> Subject correspondence files of Special Assistants to the General Counsel and Deputy General Counsel reflecting their assignments and activities.</p> <p>PERMANENT Transfer to WNRC when 4 years old. Destroy when 10 years old. Offer to the National Archives in 5 year blocks when 20 years old. <i>(SJC)</i></p> <p style="text-align: center;"><u>Associate and Assistant General Counsels</u></p>		
3.	<p><u>Legal Program Subject Correspondence Files.</u> Letters, memoranda, opinions, reports, processed materials, and other correspondence maintained by Associate and Assistant General Counsels. These files document policies, procedures, and activities in the functional areas for which these officials are responsible, such as, administration, economic affairs and regulation, legislation, export administration, import administration, and trade development.</p> <p>PERMANENT Transfer to WNRC when 4 years old. Destroy when 10 years old. Offer to the National Archives in 5 year blocks when 20 years old. <i>(SJC)</i></p>	Items 89, 93-95, 98, 101 & 114	
4.	<p><u>Attorneys' Working Files.</u> - Files created and maintained by individual attorney's in the course of their daily work or to complete assignments. These files consist of reference materials and duplicates of official correspondence located in other files.</p> <p style="text-align: center;">Destroy when no longer needed</p>		
5.	<p><u>Directives Clearance Files.</u> Drafts and printed copies of Departmental Administrative Orders and Departmental Organization Orders submitted for clearance. Also included are some background papers and comments on the orders and on the directives system and procedures of the Department. The record set of directives case files are maintained elsewhere in the Department.</p> <p style="text-align: center;">Destroy when no longer needed.</p>	Item 88	

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7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARS USE ONLY)
6.	<p><u>Financial Disclosure Reports.</u> Executive Personnel Financial Disclosure Reports (SF 278 or equivalent) and related documents submitted by individual employees as required by the Ethics in Government Act of 1978 (P.L. 95-521).</p> <p>Destroy when 6 years old except that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.</p>	Item 84 and GRS 1/25	
7.	<p><u>Contracts Review Case Files.</u> Photocopies of contracts submitted to the Office of the General Counsel for review and related correspondence, such as review sheets (SEC 526 or equivalent). Records copies of the contracts are maintained elsewhere in the Department.</p> <p>Destroy when 3 years old or when no longer needed, whichever is earlier.</p>	Item 90	
8.	<p><u>Classified Documents.</u> Documentation bearing national security classifications or held in confidence for other reasons. Included are State Department releases, emergency readiness instructions, and some security classified material from other government agencies.</p> <p>Destroy when 3 years old or when no longer needed, whichever is earlier.</p>	Item 91	
9.	<p><u>Briefing Books.</u> Briefs prepared for officials before their scheduled appearance to testify before House and/or Senate committees. The record copies are maintained elsewhere in the Department.</p> <p>Destroy when no longer needed.</p>	Item 104	
10.	<p><u>Congressional Testimonies.</u> Printed or processed copies of testimonies and statements of the Secretary of Commerce and other officials before Congress.</p> <p>Destroy when no longer needed.</p>	Item 106	
11.	<p><u>Legislative Reference Files.</u> Copies of hearings, bills, acts, and similar documents collected and maintained for convenient reference.</p> <p>Offer to the Law Library when no longer needed. Destroy if not accepted by Law Library.</p>	Item 102	
12.	<p><u>General Legislation Files.</u> Various and somewhat unrelated papers supporting summaries of enacted legislation or showing the reason why the item failed passage. Among the major subjects and areas are:</p>	Item 107	

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	<p>White House Requests - Instructions and requests for information on legislation.</p> <p>State of the Union Message - Papers created in the process of preparing the Department's contribution to the President's State of the Union Message.</p> <p>Special Situations - Data pertaining to the past or present status of legislation outside of the processes covered by the other files described.</p> <p>Reorganizations - Correspondence regarding reorganizations of the Department involving Congressional approval.</p> <p>Transfer to WNRC when 4 years old. Destroy when 10 years old.</p>		
13.	<p><u>Legislative History Case Files.</u> Letters, memoranda, and copies of proposed legislation reviewed by the Office of the General Counsel. Includes legislation proposed by the Department as well as legislation proposed by other Federal Agencies upon which the Department was asked to comment.</p> <p>Transfer to WNRC when 2 years old. Destroy when 7 years old.</p>	Item 110	
14.	<p><u>Index to Legislative History Case Files.</u> A card index to Legislative History Case Files arranged alphabetically by subject and numerically by bill number.</p> <p>Destroy individual index cards when the records to which they relate are destroyed.</p>	Item 111	
15.	<p><u>Legislative Histories of the Export Administration Act of 1979 (P.L. 96-72) and Previous Export Administration Acts.</u> Fifteen blue bound volumes of bills, hearings, and other documents relating to the passage of the Export Administration Act of 1979. Series also includes several folders regarding previous export administration acts.</p> <p><u>PERMANENT.</u> Offer to the National Archives upon termination of responsibility for export administration.</p>		
16.	<p><u>House and Senate Documents.</u> - Copies of House and Senate Documents pertaining to legislative matters in which the Department participated but did not propose, report or comment on the specific bill(s).</p> <p>Offer to Law Library upon adjournment of next succeeding Congress or when no longer needed, whichever is earlier. Destroy if not accepted by Law Library.</p>	Item 112	

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17.	<p><u>Index to House and Senate Documents.</u> A card index to House and Senate Documents.</p> <p>Destroy individual index cards when the documents to which they relate are destroyed.</p>		
18.	<p><u>Confirmation Hearings.</u> One printed copy of each confirmation hearing for Secretarial and other Commerce officials appointed by the President with the advice and consent of the Senate.</p> <p><u>PERMANENT.</u> Transfer to WNRC in 10 year blocs after separation of employee. Offer to the National Archives in 10 year blocs when 20 years old.</p>	Item 113	
19.	<p><u>Preliminary Legislative Program Files.</u> Submissions from each primary operating unit of legislative items to be included in the legislative program of the Department and status reports on each item until submitted to the Congress.</p> <p>Transfer to WNRC when 4 years old. Destroy when 10 years old.</p>	Item 116	
20.	<p><u>Legislative Statement Files.</u> Copies of statements and testimonies before congressional committees by Secretarial and other senior officials of the Department.</p> <p>Transfer to WNRC when 4 years old. Destroy when 10 years old.</p>	Item 115	
21.	<p><u>Proposed Legislative Program Booklets.</u> An annual publication of the Office of the General Counsel prepared for each session of Congress since 1974 which summarizes Department legislative initiatives. Arranged chronologically.</p> <p><u>PERMANENT</u> Offer to the National Archives in 20 year blocs when 20 years old.</p>		
22.	<p><u>Litigation Case Files.</u> Pleadings and other correspondence regarding litigation to which the Department is a party. Litigation involves anti-dumping or countervailing duties, textiles, trade adjustment assistance, personnel disputes, and other matters.</p> <p>Transfer to WNRC 3 years after litigation is resolved. Destroy 7 years after litigation is resolved.</p>		
23.	<p><u>Regulatory Review Case Files.</u> Correspondence regarding and copies of proposed Department regulations submitted to the Office of Management and Budget for review. Includes memoranda commenting upon the proposed regulation.</p>		

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24.	<p>Destroy when 3 years old.</p> <p><u>Export Trading Companies Applications.</u> Applications submitted to the Department by companies which seek to be certified to engage in export trade under the Export Trading Company Act (P.L. 97-290).</p> <p>Destroy when 3 years old.</p>		
25.	<p><u>Chronological Files.</u> Copies of outgoing correspondence maintained solely for convenience of reference.</p> <p>Destroy when 2 years old.</p>		
26.	<p><u>Administrative Subject Correspondence Files.</u> Correspondence relating to routine internal housekeeping matters instead of the functions and programs for which the Office of the General Counsel exists.</p> <p>Destroy when 1 year old.</p>	GRS 23/1	