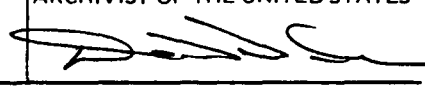


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|--|--------------------------------------|---|---|
| REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i> | | LEAVE BLANK | |
| TO: GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408 | | JOB NO. <i>NI-361-91-5</i> | DATE RECEIVED <i>1-30-91</i> |
| 1. FROM (Agency or establishment) Defense Logistics Agency | | NOTIFICATION TO AGENCY | |
| 2. MAJOR SUBDIVISION Staff Director, Administration | | In accordance with the provisions of 44 U.S.C. 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disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.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. | |
| 3. MINOR SUBDIVISION Resources Management Division | | | |
| 4. NAME OF PERSON WITH WHOM TO CONFER Mrs. Judith S. Saulnier | 5. TELEPHONE EXT. 274-6234 | DATE <i>6/17/91</i> | ARCHIVIST OF THE UNITED STATES  |
| 6. CERTIFICATE OF AGENCY REPRESENTATIVE | | | |

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 6 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. *X has been requested*

| | | |
|-----------------------------|---|--|
| B. DATE <i>25 Jan 91</i> | C. SIGNATURE OF AGENCY REPRESENTATIVE <i>Preston B. Speed</i> PRESTON B. SPEED | D. TITLE Chief, Administrative Management Branch |
|-----------------------------|---|--|

| 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 GRS OR SUPERSEDED JOB CITATION | 10.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>Disposal authority is requested for the items in the enclosed proposed revision to this Agency's Records Control Schedule. This revision will supersede series 250, 252, 253, 255, 257, 258, 259, and 260.10 of DLAM 5015.1, Files Maintenance and Disposition.</p> <p><i>Change to item 6 made per GAO letter</i></p> | | |

Copies sent to agency NN-W, NNT 6/19/92

REQUEST FOR RECORDS DISPOSITION AUTHORITY - CONTINUATION

JOB NO.

PAGE

2 OF 6.

| 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) |
|-------------|--|-----------------------------------|----------------------------------|
| | <p>170 LEGAL SERVICES. Relates to providing legal advice and services in all matters involving or affecting DLA such as legislation; procurement and contract claims, appeals, and litigation; other litigation; standards of conduct; and legal assistance for military personnel and dependents.</p> | | |
| 1 | <p>170.01 Legal Program Files. Documents related to the formulation, management, administration and execution of individual Office of General Counsel programs such as program plans, studies and analyses, reports, letter guidance and direction, and related documents. (Destroy 2 years after termination of program effort, or when no longer required, whichever is sooner.)</p> | 250.01 NC-361-76-1 | |
| 2 | <p>170.02 Legal Policy Files. Documents providing general directions, staff guidance and reporting in the management and administration of the Office of General Counsel including interpretations and decisions on applicability, requests for waivers and exceptions, data calls and periodic reporting, and similar documents not covered elsewhere. (<u>Office of Counsel</u>, <u>HQ DLA</u> - Destroy after 2 years. <u>Other Activities</u> - Destroy after 1 year.)</p> | 250.01 NC-361-76-1 | |
| 3 | <p>170.10 Legislation Files. Records accumulated as a result of preparing and processing legislation, Executive Orders, and proclamations proposed by or of interest to DLA. Includes staff summaries/coordinating actions, proposals, correspondence, draft DLA legislation, comments to legislative proposals drafted by other agencies or DoD, and related background and supporting documentation. (Cut off at close of each Congress. Destroy after 5 years.)</p> | 260.10 NC1-361-76-5 | |
| 4 | <p>170.13 Contract Review Files. Logs, checklists, comments, and similar records relating to the review of solicitations and proposed contract awards for legal sufficiency. (Destroy 3 years after contract terminated/completed. Exception: Files that pertain to contract award protests/appeals proceedings, transfer to appropriate litigation file.)</p> | New | |
| 5 | <p>170.16 Post Award Contract Files. Case files containing contractor complaints and disputes, attorney notes, conversation records, Contracting Officer Decisions, copies of cases and other supporting documentation relating to resolution of matters outside litigation. (Destroy 3 years after final resolution of the complaint or dispute.)</p> | New | |

REQUEST FOR RECORDS DISPOSITION AUTHORITY – CONTINUATION

JOB NO.

OF 6

| 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> |
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| 6 | 170.19 Potential Claim Files. Accident reports, investigation reports, attorney notes, correspondence, and similar documentation relating to potential claims. If actual claim is initiated, transfer file contents to appropriate litigation series. (years Destroy after 6 years and 3 months.) | 252.60 NN-168-94 | |
| 7 | 170.22 Novation Files. Forms, attorney notes, and correspondence relating to contractor ownership changes used to transfer legal obligations. (Destroy 6 years after completion of contract.) | New | |
| 8 | 170.25 Bid Mistake Allegation Files. Correspondence, determinations and findings, and similar records accumulated as a result of reviewing contractor allegations of mistakes in bids on procurement contracts. (Destroy 6 years after completion of contract.) | New | |
| 9 | 170.28 Court Contract Litigation. Case files consisting of litigation reports, court pleadings, motions, legal research memos, Department of Justice (DOJ) correspondence, agency correspondence, copies of contracts, Decisions, transcripts of trial, transcripts of depositions of witnesses, court decisions, settlement agreements, withdrawal notices and related documentation used in contract litigation actions. (Destroy 6 years after final settlement.) | 252.10 | |
| 10 | 170.31 Administrative Contract Litigation. Case files consisting of witness lists, interview notes, pleadings, motions, affidavits, correspondence, hearing transcripts, copies of final decisions and related documentation used in administrative law proceedings, such as appearances before the Armed Services Board of Contract Appeals. (Destroy 6 years after case closing.) | New | |
| 11 | 170.34 Other Litigation. Case files relating to the processing of tort claims, personnel actions, and other such litigation related to matters other than contracts. (Destroy 6 years after case closing.) | 252.50 NN-168-94 | |
| 12 | 170.37 Bankruptcy Files. Notices, proofs of claim, DOJ correspondence, pleadings, reports/findings, judgments (court decision), cash collection vouchers, copies of check(s) received, and similar records relating to contractor insolvencies and bankruptcies. (Destroy 6 years after remuneration received or final judgment, whichever is later.) | New | |

REQUEST FOR RECORDS DISPOSITION AUTHORITY – CONTINUATION

JOB NO.

PAGE

4 OF 6

| 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> |
|-------------|---|-----------------------------------|--|
| 13 | <p>170.40 Agency Protest Files. Contracting Officer final Decision papers, protest documents, attorney notes, correspondence, protest decision papers, and similar records used to support Agency legal position relating to contract award protests. <i>(Destroy 6 years after final action.)</i></p> | New | |
| 14 | <p>170.43 GAO Protest Files. Notices, logs, reports, GAO conference transcripts and comments, pleadings, GAO decisions, requests for reconsideration, record of attorney costs, case confirmations, and similar records used to support Agency legal position relating to contract award protests filed with GAO. <i>(Destroy 6 years after final settlement of the claim.)</i></p> | New | |
| 15 | <p>170.46 Contract Fraud Files. Report of fraud, referral letters, conversation records, investigative reports, conclusions/recommendations, synopsis, research material, and related records pertaining to matters of potential contract fraud, improper conduct, violations of conflict of interest laws, and similar matters. When such cases result in litigation, use 170.28 or other applicable litigation series. <i>(Destroy after 6 years.)</i></p> | 255.01 N1-361-86-5 | |
| 16 | <p>170.49 Debarment, Suspension Files. DFARS Report from field, copies of indictments (including evidence), conversation records, memoranda of decisions, copies of notices of suspension and debarment, correspondence, contractor replies, termination notices of suspension, judgement sheets, and similar records relating to debarred, ineligible, or suspended contractors. <i>(Destroy 6 years after date of DFARS Report.)</i></p> | New | |
| 17 | <p>170.52 Inventions Disclosure. Documents relating to inventions on which patent applications are not prepared. Such documents result from the disclosure of inventions by military personnel, civilian employees of the Government, and from research and development under DoD contracts. <i>(Office of Counsel, HQ DLA - Destroy after 26 years. Other Activities - Destroy after 7 years.)</i></p> | 253.10 NN-168-94 | |

REQUEST FOR RECORDS DISPOSITION AUTHORITY - CONTINUATION

JOB NO.

PAGE
5 OF 6

| 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) |
|-------------|--|-----------------------------------|----------------------------------|
| 18 | 170.55 Patent Case Files. Documents relating to actions involving the acquiring of patent rights of inventions. (Destroy after 26 years.) | 253.20 NN-168-94 | |
| 19 | 170.58 Patent Licenses and Assignments. Documents concerning licensing and assignment arrangements for use of patents owned by nongovernmental organizations or individuals, including clearances to procure licenses or assignments; and consisting of correspondence on license negotiations, requests for clearance, license agreements, reports submitted under the terms of the license, and similar papers. (Destroy after 26 years.) | 253.30 NN-168-94 | |
| 20 | 170.61 Patent Infringement. Documents concerning the potential or actual infringement of patent rights or measures taken to preclude such infringement. (Destroy after 26 years.) | 253.40 NN-168-94 | |
| 21 | 170.64 Patent Royalties. Documents concerning contractor royalty reports and refund or adjustment of reported royalties. (Destroy after 10 years.) | 253.50 NC-361-75-1 | |
| 22 | 170.67 Copyrights. Documents relating to the copyrighting of material, the obtaining of permission to use copyrighted material, or the infringement of a copyright. (Destroy after 56 years.) | 253.60 NN-168-94 | |
| 23 | 170.70 Financial Interest Statements. Confidential and public statements of affiliations and financial interests and related records. (Destroy after 6 years; except that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.) | 257.15 GRS 1/24b | |
| 24 | 170.73 Ethics and Standards of Conduct Files. Formal opinions, correspondence, training materials, program ideas, technical materials, tracking/control mechanisms, and related records used to inform DLA personnel of their ethical and standards of conduct responsibilities. (Destroy when obsolete or superseded.) | 257.10 | |
| 25 | 170.76 Legal Assistance. Correspondence, memoranda, attorney opinions, and similar records accumulated as a result of providing legal advice and assistance to military personnel and their dependents. (Destroy 1 year after completion of case except legal instruments withdrawn for use as precedents may be held until no longer needed for reference.) | 259.05 NN-168-94 | |

REQUEST FOR RECORDS DISPOSITION AUTHORITY - CONTINUATION

JOB NO.

PAGE

6 OF 6

| 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> |
|-------------------|---|--|---|
| 26 | <p>170.79 Military Justice. Documents relating to military justice such as investigations of alleged offenses, copies of documents furnished to Military Services regarding offenses, and similar material. Excludes nonjudicial punishment records which should be filed in 322.38. <i>(Destroy after 6 years.)</i></p> | 258.05 NN-168-94 | |