

REQUEST FOR RECORDS DISPOSITION AUTHORITY
 (See Instructions on reverse)

LEAVE BLANK	
JOB NO.	
	N1-457-88-4
DATE RECEIVED	
NOTIFICATION TO AGENCY	
<small>In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.</small>	
7/20/89 <i>Date</i>	<i>[Signature]</i> <i>Archivist of the United States</i>

TO: **GENERAL SERVICES ADMINISTRATION,
 NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1. FROM (AGENCY OR ESTABLISHMENT)

NATIONAL SECURITY AGENCY

2. MAJOR SUBDIVISION

INFORMATION RESOURCES MANAGEMENT

3. MINOR SUBDIVISION

OFFICE OF HISTORY AND ARCHIVES

4. NAME OF PERSON WITH WHOM TO CONFER

5. TEL. EXT.

(b)(3)

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 _____ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

A Request for immediate disposal.

B Request for disposal after a specified period of time or request for permanent retention.

C. DATE

(b)(3)

7. ITEM NO.

RECORDS OF THE GENERAL COUNSEL (U)

10 ITEMS TOTAL

5 ITEMS PERMANENT

PERMANENT MEDIA CONSISTS OF PAPER.

CLASSIFIED JOB FILE RETAINED AT NSA INCLUDES APPRAISAL MEMO DATED 6/22/89

PERMANENT SERIES WILL BE TRANSFERRED TO THE NATIONAL ARCHIVES AFTER 50 YEARS IF DECLASSIFIED.

SERIES STILL CLASSIFIED AFTER 50 YEARS WILL BE RE-REVIEWED EVERY 10 YEARS UNTIL DECLASSIFIED.

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**NSA RECORDS DISPOSITION
SCHEDULE FOR
U
GENERAL COUNSEL**

~~HANDLE VIA COMINT CHANNELS ONLY~~
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INTRODUCTION

NSA RECORDS DISPOSITION SCHEDULES

WHAT ARE RECORDS DISPOSITION SCHEDULES?

Records disposition schedules provide for the proper disposition of an agency's records. Schedules list and describe the records generated by a Federal agency and provide guidance on how long records are to be maintained. As defined in 44 USC 30 "records" include all books, papers, maps, photographs, machine readable materials, or other documentary materials regardless of physical form or characteristic made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business. Federal law mandates that the head of each agency submit to the Archivist of the United States record schedules proposing the disposition of that agency's records. The schedules provide for the prompt destruction of temporary records and for the permanent retention and preservation of records which illustrate and document the organization, functions policies, decisions, procedures, operations, or other activities of the agency, or which contain informational data of an historical nature.

WHY NSA HAS RECORDS DISPOSITION SCHEDULES

NSA's Records Disposition Schedules are designed to provide for and to simplify the appropriate disposition of Agency records and to aid Agency officials in gaining intellectual control over the increasing amount of information generated by the Agency. Designed to reflect the records actually produced, used, or stored by each Agency Key Component, the proper application of these schedules will ensure that NSA complies with the Federal Records Act, the Privacy Act, and the Freedom of Information Act. Furthermore, the schedules, if properly implemented, will provide a cost effective, efficient management program for the Agency's information by drastically reducing duplication and the unnecessary storage of paper records.

Traditional schedules have dealt with records on a generic basis. In general, these schedules concentrated on paper records and ignored or dismissed the growing volume of electronically produced and stored information. Consequently, most schedules quickly became dated and virtually unusable as the records described in the schedules and the records maintained in agency offices did not correspond. The new schedules attempt to remedy these problems by identifying and describing in detail the specific records of each Key Component. The schedules reflect all records – paper, microform, or electronically generated, compiled, used, or maintained by each Key Component. They are uniquely designed for each Key Component.

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WHAT INFORMATION IS CONTAINED IN THE SCHEDULES?

Each schedule contains a list of the data bases or files generated or used by each Key Component. The description of each data base or file includes:

1. the title
2. a narrative description of the contents
3. the inclusive date span of the information contained in the data base or file
4. the physical location
5. the storage media
6. the volume of material created or held by the office per year (for paper files the volume is given in cu. ft., for data bases the volume is given in sectors, tracks, or the number of characters)
7. the highest classification of the inclusive material
8. the approved disposition
9. the disposition number.

For data bases the description also includes information on the hardware and the software required to run them.

HOW TO USE THE SCHEDULES

For the proper disposition of a data base or file locate the appropriate office in the Table of Contents, identify the data base or file, and apply the approved disposition. If a file is permanent retire it to the NSA Archives using the disposition number from the schedule. If you have records that are scheduled for destruction you may retire them to the NSA Records Center prior to their destruction date and the Records Center will handle the disposition or you may dispose of them yourself at the appropriate time. Records retired to the NSA Records Center must have a specific destruction date. If the schedule does not indicate a specific date call the NSA Records Center and the T54 staff will provide one. For the disposition of records not covered by the schedules contact T54, The Office of Archives and Records, and fill out a Standard Form 115.

The schedules are produced in loose leaf form to facilitate changes as they occur in the record keeping practices of the offices. New pages will reflect additions, deletions, or changes in the description and will be issued periodically. Future generations of the schedules will be available on-line with updates made by the Key Components following approval by T54 and the National Archives. This will ensure greater accuracy and currentness.

HOW TO RETIRE RECORDS

In order to retire noncurrent records – paper, microform, or audio-visual, to the NSA Records Center for temporary or permanent storage the office records monitor needs to follow the following procedures.

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(1) Call the Records Center (972-2295) to ascertain if storage space is presently available and to receive a unique accession control number for the material being retired.

(2) Prepare a triplicate Form 02295 for each series of records being retired. The office records monitor must assure that the proper disposition number from the Records Disposition Schedule is noted on the form. Please follow those instructions carefully. One form should be prepared for each series of records being retired.

(3) Follow the proper procedures for forwarding classified materials.

(4) Deliver to nearest NSA mail center for forwarding to the NSA Records Center via the NSA courier service.

Retirement requirements for special records (audio-visual, microform, electronic) are different because of the perishability of the media. The Code of Federal Regulations requires that permanent microform records be stored on silver halide process microform. A master copy of permanent audio-visual records (video tapes, audio tapes, etc.) should be sent as soon as possible to the NSA Archives to ensure their preservation. Permanent text files stored on floppy disks should be printed out in hard copy before retirement to the NSA Archives. The NSA Archives is at present not equipped to handle electronic records. Current handling procedures (SAB 3, OPI) should be followed in the interim.

REFERENCE SERVICE ON RETIRED RECORDS

Retired records are held in the NSA Records Center for the period of time prescribed in the NSA Records Disposition Schedules. During this period the records are available for loan or reference. Permanent records will be held indefinitely by the NSA Archives. They will be processed and made available for Agency reference purposes upon their arrival at the NSA Archives. After 30 years T54 archivists will review them and remove duplicative and extraneous materials. Requests for loans of retired records may be made by telephone or in writing to T541. The requester should know the accession control number as shown in Form 02295 in order to request records. The loan period is 30 days. Records may also be reviewed at the NSA Records Center by appointment.

USEFUL INFORMATION

THE UNLAWFUL REMOVAL OR DESTRUCTION OF RECORDS

Federal law requires the Director of the National Security Agency to establish safeguards against the unlawful removal or loss of agency records, and to make known to NSA personnel the penalties provided for the unlawful removal or destruction of such records. 44 USC 3106 provides that the Director, with the assistance of the Archivist of the United States, initiate action through the Attorney General for the recovery of records believed to be unlawfully removed from the

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Agency. 44 USC 3314 also states that no records of the United States Government may be altered or destroyed except as stipulated under 44 USC Chapter 31. Penalties for the willful and unlawful destruction, damage, or alteration of Federal records are stipulated in the U.S. Criminal Code (18 USC 2071).

OFFICIAL AND PERSONAL RECORDS

Records and papers of a private or nonofficial nature which pertain only to an individual's personal affairs but are maintained in a Federal office must be clearly designated as nonofficial and will at all times be filed and maintained separately from the official records of the office. In cases where matters requiring the transaction of official business are received in private correspondence, the portion of such correspondence pertaining to official business must be extracted and made a part of the official record. The definition of official records includes any materials generated or received in pursuance of Federal law or in connection with the transaction of public business. Correspondence designated "personal," "private," etc., but which pertains to the conduct of public business, is an official record subject to the provisions of Federal law. Official records are public records and belong to the office not the individual.

Questions regarding agency records, official records, the schedules, or the transfer of records to the NSA Archives should be addressed to T54, The Office of Archives and Records.

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OFFICE OF THE GENERAL COUNSEL

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NATIONAL SECURITY AGENCY

CENTRAL SECURITY SERVICE

NSA/CSS

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NATIONAL SECURITY AGENCY/CENTRAL SECURITY SERVICE

CREATION AND AUTHORITY

Pursuant to the Presidential directives of 24 October 1952, which declare that Communications Intelligence (COMINT) and Communications Security (COMSEC) are national responsibilities, the Department of Defense established, by directive, the National Security Agency to succeed the Armed Forces Security Agency. The National Security Council added Electronic Intelligence (ELINT) to NSA's national mission in 1958.

In accordance with Presidential directives and pursuant to the national Security Act of 1947, the National Security Council issued National Security Council Intelligence Directive (NSCID) No. 9, dated 29 December 1952, and the National COMSEC Directive, dated 20 October 1953, which defined the NSA COMINT and COMSEC missions respectively. ELINT functions were first recognized in NSCID No. 17, dated 16 May 1955. The original COMINT and ELINT directives were superseded by and combined into NSCID No. 6, "Communications Intelligence and Electronics Intelligence," dated 15 September 1958. NSCID No. 6 was updated on 17 February 1972 and retitled "Signals Intelligence." The COMSEC directive of 1953 was updated on 25 April 1957, on 26 August 1968, and again on 20 June 1979. The SIGINT and COMSEC directives name the Secretary of Defense as executive agent for the conduct of SIGINT and COMSEC activities and direct that the SIGINT and COMSEC missions be carried out in response to guidance from the National Foreign Intelligence Board (NFIB) and the National Communications Security Committee (NCSC), respectively.

In accordance with the provisions of NSCID No. 6, the Secretary of Defense established the Central Security Service (CSS) under the Director, NSA. The Secretary of Defense provided for the National Security Agency/Central Security Service (NSA/CSS) by promulgating DoD Directive S-5100.20 dated 23 December 1971. He approved the NSA/CSS Organization Plan on 14 April 1972 to implement that directive. The NSA/CSS is a separately organized agency within the Department of Defense under the direction, authority, and control of the Secretary of Defense. It is subject to the provisions of Department of Defense directives and procedures to the extent that they are applicable and consistent with its missions and functions. Major components of the NSA/CSS are the National Security Agency (NSA) and the Service Cryptologic Elements (SCEs) of the Military Departments. Under the NSA/CSS, SIGINT resources are unified but decentralized. The NSA is the management, operational tasking, analytical and production arm of the system and the SCEs are the field arm. The Director, NSA/Chief, CSS exercises operational control of the collection effort through the Deputy Chief, CSS and the SCE Commanders. The NSA operates a number of special field collection facilities, but the primary field collection effort is conducted by the SCEs.

In January 1983, the Secretary of Defense approved having the Director, NSA, perform the collateral duty of Director, Joint Special Studies Group (JSSG). The Director, JSSG is responsible for conducting classified studies under the direction of the Joint Chiefs of Staff.

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In September 1984, NSDD-145 expanded the authority of the Secretary of Defense as the Executive Agent of the Government for COMSEC to include telecommunications and automated information systems security. NSDD-145 established the Director, NSA as the National Manager to act as the operating arm of the Executive Agent.

PURPOSE

The resources of the National Security Agency/Central Security Service are organized for the accomplishment of two national missions:

a. The Signals Intelligence (SIGINT) mission is to provide an effective, unified organization and control of all SIGINT collection and processing activities of the United States, and to produce SIGINT in accordance with objectives, requirements, and priorities established by the Director of Central Intelligence with the advice of the National Foreign Intelligence Board.

b. The Information Security (INFOSEC) mission encompasses two major activities: (1) The Communications Security (COMSEC) mission is to implement protective measures to deny unauthorized persons national security-related, including sensitive but unclassified, information derived from telecommunications and to also prevent these persons from disrupting or causing the deception of such communications. Measures included within COMSEC are cryptosecurity, transmission security, emissions security, physical security, and technical security. (2) The Computer Security (COMPUSEC) mission is to implement protective measures designed to prevent deliberate or inadvertent unauthorized access, disclosure, acquisition, manipulation, modification, or loss of information contained in automated systems used within the Department of Defense, other Government Agencies and the private sector. DoD Directive 5215.1, dated 25 October 1982, established the DoD Computer Security Evaluation Center (CSEC), provided policy, and assigned responsibilities for the technical evaluation of computer system and network security, and related technical research.

ORGANIZATION

(C) The Director, NSA/Chief, CSS is assisted in the management and direction of NSA/CSS by a principal Deputy Director, NSA, and a Deputy Chief, CSS. His organization includes seven Deputy Directors for specific functional areas, two Assistant Directors, a Chief of Staff, an Inspector General, a General Counsel, a Chief Scientist, and the Director's Senior Council.

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GENERAL COUNSEL

The General Counsel is responsible to the Director, NSA/Chief, CSS for all legal services to be performed within and involving the National Security Agency.

1. Serving as the chief legal officer of the Agency and as the final authority within the Agency on questions of law.
2. Interpreting all statutes, Presidential Directives, and Executive and Legislative Branch Regulations, and advising the Director and principal staff with respect to the authorities for NSA operations and the conditions and restrictions thereon.
3. Ensuring that the intelligence activities of NSA are conducted in a lawful and proper manner and reporting any such activities that raise questions of legality or propriety to the President's Intelligence Oversight Board pursuant to Section 3-2 of Executive Order 12333.
4. Representing the Agency in all legal matters relating to other Government departments, private organizations and the general public.
5. Representing the Agency in litigation before the courts and administrative bodies and serving as the principal NSA point of contact with the Department of Justice and the office of the Attorney General on matters affecting the Agency.
6. Developing and presenting the Agency's legislative program and the Agency's position on other items of legislation which affect NSA.
7. Participating in the development, formulation, and implementation of general policy for the operation and management of NSA.

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Foreign Intelligence Surveillance Act File

The file consists of court orders and other documentation created in compliance with the provisions of the Foreign Intelligence Surveillance Act and Executive Order 12333.

DATE SPAN: 1978 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: 2 cu. ft. per year
CLASSIFICATION: VRK
DISPOSITION: Permanent. Retire to NSA Archives when no longer needed for operations.
DISPOSITION NO.: U-1

Contract File

This file contains background information and opinions concerning the legal implications of NSA contracts.

DATE SPAN: 1982 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: 2 cu. ft. per year
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Destroy when no longer needed for operations.
DISPOSITION NO.: U-2

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Subject File

This is the main mission file of the Office of the General Counsel. It contains all memoranda, reports, opinions, and correspondence relating to NSA legal matters. Excluded is current documentation relating to information security, although correspondence, memoranda, briefs, case files, and other documentation relating to Agency litigation regarding INFOSEC is present for the period prior to 1983. Also included are patents and related correspondence.

DATE SPAN: 1953 to Present

LOCATION: U

STORAGE MEDIA: Paper

VOLUME: 20 cu. ft. per year

CLASSIFICATION: TOP SECRET CODEWORD

DISPOSITION: Permanent. Retire to NSA Archives when no longer needed for operations.

DISPOSITION NO.: U-3

Information Security Subject File

This file contains documentation relating to the legal representation of NSA by the Office of the General Counsel in matters relating to Information Security. Included are correspondence, memoranda, case files, and other documentation from 1985 to the present.

DATE SPAN: 1985 to Present

LOCATION: U

STORAGE MEDIA: Paper

VOLUME: 2 cu. ft. per year

CLASSIFICATION: TOP SECRET CODEWORD

DISPOSITION: Permanent. Retire to NSA Archives when no longer needed for operations.

DISPOSITION NO.: U-4

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Information Security Read File

Chronological file of all Office of the General Counsel's incoming and outgoing correspondence relating to information security.

DATE SPAN: 1985 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: .5 cu. ft. per year
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Destroy when no longer needed for operations.
DISPOSITION NO.: U-5

General Read File

This file contains copies of all correspondence of the Office of the General Counsel. It is maintained chronologically.

DATE SPAN: 1953 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: 1 cu. ft. per year
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Destroy when no longer needed for operations.
DISPOSITION NO.: U-6

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Suspense File

This is an electronic office logging system to track the status of action items. There is a separate data base for each calendar year.

DATE SPAN: 1987 to Present
LOCATION: U
STORAGE MEDIA: On-line
HARDWARE: Wang ALLIANCE
SOFTWARE: In house, menu driven
VOLUME: 500 logical records
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Cut off by calendar year. Destroy 2 years thereafter.
DISPOSITION NO.: U-7

Administrative File

This file relates to Office of the General Counsel personnel, budget preparation, training, travel, awards, and other related administrative matters.

DATE SPAN: 1985 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: 2 cu. ft. per year
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Cut off annually. Destroy 5 years thereafter.
DISPOSITION NO.: U-8

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Litigation File

This file consists of litigation cases involving the National Security Agency.

DATE SPAN: 1975 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: 2 cu. ft. per year
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Permanent. Retire to NSA Archives when no longer needed for operations.
DISPOSITION NO.: U-9

Legislative File

This file consists of copies of bills, public laws, legislative histories, Agency legislative proposals and comments on legislative items of interest to the National Security Agency.

DATE SPAN: 1978 to Present
LOCATION: U
STORAGE MEDIA: Paper
VOLUME: 2 cu. ft. per year
CLASSIFICATION: TOP SECRET CODEWORD
DISPOSITION: Permanent. Retire to NSA Archives when no longer needed for operations.
DISPOSITION NO.: U-10

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Redactions have been made to this report pursuant to 5 U.S.C. 552(b)(3) with the corresponding statute 50 USC § 3605 (Previously 50 U.S.C. 402, noting National Security Agency Act of 1959) , which protects from disclosure “information pertaining to the functions or organization of NSA and certain information pertaining to NSA employees.” You will need to submit a Freedom of Information Act (FOIA) request to the Office of the General Counsel for the withheld information. Information on how to file a FOIA may be found here:

<http://www.archives.gov/foia/>