

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

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| LEAVE BLANK | |
| JOB NO. | NC1-AFU-83-19 |
| DATE RECEIVED | 10-25-82 |
| 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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.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> | |
| SIGNATURE OF THE ARCHIVIST IS NOT REQUIRED FOR APPROVAL OF PERMANENT RETENTION OF RECORDS | |
| Date | Archivist of the United States |

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

1. FROM (AGENCY OR ESTABLISHMENT)

DEPARTMENT OF THE AIR FORCE

2. MAJOR SUBDIVISION

Directorate of Administration, HQ USAF

3. MINOR SUBDIVISION

Documentation Management

4. NAME OF PERSON WITH WHOM TO CONFER

Mrs. Grace T. Rowe

5. TEL. EXT.

694-3527

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 8 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 | D. SIGNATURE OF AGENCY REPRESENTATIVE | E. TITLE |
| 14 OCT 1982 |  | MARK H. COON, Major, USAF Acting Chief, Documentation Mgmt Directorate of Administration |

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods) | 9. SAMPLE OR JOB NO. | 10. ACTION TAKEN |
|-------------|--|----------------------|------------------|
| 1 | <p align="center">REAL PROPERTY MANAGEMENT (Table 87-1) (Applicable Air Force-wide)</p> <p>The purpose of this submission is to change column D of rule 3 to show that the surveys and studies described in rule 3 are incorporated into the real property case file at HQ USAF. These surveys and special studies are unique in scope and substance. They cover acquisitions of real property from inception of bare-base flying operations until deactivation and ultimate disposition land and improvements. The special studies and surveys at HQ USAF impact heavily on the acquisitions, land grants, condemnation, easements, fee-purchase, lease or transfer and may involve local or state officials as well as numerous federal departments. They are concerned with real estate activities or Air Force missions in foreign countries or contain such other substantive information. Because of their importance to the completion of the real property case files, the surveys and special studies at HQ USAF have been interfiled through the years in real property case files described in rule 1. It is not plausible to separate the two files. Rule 1 has been appraised as permanent by Job Number NC1-AFU-77-38. Volume on hand is approximately 750 cubic feet at HQ USAF.</p> | NC1-AFU-77-38 | 17 items |

No mass data change sheet required. Copy of job sent to agency and NNM by RAW on 12-19-83.

Request for Records Disposition Authority - Continuation

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| | <p>Regarding rule 6, the following rationale provides justification for permanent retention ^{the incorporation into the case files (rule 1) of} of real property records concerning federal legislative jurisdiction. ^</p> <p>a. On all real property held by the AF this service holds proprietorial interest (Atch 1) or one of three types of federal legislative jurisdiction (Atch 2).</p> <p>b. Each type jurisdiction shows a different division of authority between the state and the federal government in a given land area. These authorities primarily concern the right to serve civil or criminal process for activities that occurred within the area (i.e., on the AF held real property).</p> <p>c. AF may have one or more types of federal legislative jurisdiction on a single AF installation, although the entire federal government, including the AF, attempts to follow the conclusions and recommendations of the last two broad-based review bodies on this subject (i.e., Interdepartmental Committee for the Study of Jurisdiction Over Federal Areas Within the United States in 1956 and the Public Law Review Commission's 1970 Report). Those bodies recommended, and President Eisenhower approved, the policy that unnecessary federal legislative jurisdiction (exclusive or concurrent) should not be acquired and should be retroceded to the state whenever possible.</p> <p>Federal Bureau of Investigations frequently calls when crimes are committed on Air Force installations, to learn who has jurisdiction in the area (state of federal government). Air Force real property actions concerning federal legislative jurisdiction have great historic value in matters of litigations and everyday decision making by real property personnel.</p> <p>It is imperative that the records be retained permanently. ^{as part of the Rule 1 case files} It is important historically to know who had jurisdiction over the various Air Force bases at a given period of time, to study the changes of legislative jurisdiction and the various types granted a base, etc. The referenced records detail another important phase of the base history.</p> <p>[Amended by R. Wire per G. Rowe, 12-6-83]</p> | | |

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| | <p>These federal legislative jurisdiction files are maintained by bases. As far as we can determine, none of these files have been retired. We are unsure of the annual accumulation, however, we believe it is very small. We suggest the records be offered to National Archives 30 years after base inactivation.</p> | | |

87. Real Property. These tables cover documentation pertaining to policy, procedures and responsibilities pertaining to acquisition, management, use, disposal, inventory accounting, and reporting of real property; exclude contractor-operated industrial facilities, except for inventory.

AFM 12-50 (21)

TABLE 87-1

REAL PROPERTY MANAGEMENT

| R U L E | A | B | C | D |
|------------------|--------------------------------|---|---|---|
| | If documents are or pertain to | consisting of | which are | then |
| 1 | real property case files | correspondence, reports, studies, maps, charts, drawings, copies of legal instruments, delegations of authority, excess real property declarations, disposal authorizations, real estate planning reports (REPRs), and related data, machine listings of the annual real property transaction summary by voucher number and of the real property voucher transaction summary by facility number | 1 | * retire as permanent upon inactivation of the installation (notes 1, 2, 3). |
| 2 | | separate collection of REPRs | at AF regional civil engineer office | destroy 1 year after land is acquired, completed construction is accepted by the using agency, or line item is dropped from MCP, whichever is applicable. |
| 3 | survey and special studies | special studies conducted on an "as requested" basis, such as real property studies and studies of leased real property in CONUS and overseas | at HQ USAF | file in real property case file (rule 1) |
| 4 | | | at MAJCOMs and major subordinate commands | destroy when superseded by later study or survey or after 2 years, whichever is later. |
| 5 | | | at base/station | destroy when superseded. |

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|----|---|---|--|---|
| 6 | federal and legislative jurisdictional matters | correspondence, reports, studies, decisions, legal opinions, and related data | | <i>File in real property case file (rule 1).</i> retiree permanent records are inserted in a case or project file, the disposition governing that file apply (11-3 & 4) |
| 7 | | work papers and background supporting data | | destroy when purpose has been served or after 1 year, whichever is sooner. |
| 8 | reports of nonutilization of military real property | form reports reflecting areas of unused land and space in permanent, semipermanent and temporary buildings (vacant or outgrants) at nonindustrial and industrial active and inactive installations | | destroy when superseded or after 1 year, whichever is later |
| 9 | nonindustrial facility mobilization | brochures, card indices, formal reports of facility allocation (DD Form 26-2), and related data pertinent to the acquisition and allocation of facilities available in event of an all-out mobilization | approved for acquisition | incorporate with rule 1. |
| 10 | | | not approved for acquisition | destroy on determination that facility no longer meets AF requirements. |
| 11 | waivers and clearances | correspondence, maps, drawings, and related data concerning requests for waivers of flight and navigation obstruction and lateral air field clearances | | destroy 1 year after renewal request, or when obstruction is removed or eliminated, and/or when AF is relieved of accountability for the installation, whichever is sooner. |
| 12 | portable buildings (PB) | letters of appointment/termination of responsible and accountable PB property officers, and related PB property records | responsible PB officer copies | destroy when superseded. |
| 13 | | | accountable PB officer copies | retain until PB property officer is relieved of assignment; destroy after audit, provided any reported irregularity has been cleared (see table 175-2). |
| 14 | | | supporting documents to entries on PB property records | retain until PB property is disposed of and destroy after audit, provided any reported irregularity has been cleared (see table 175-2). |

TABLE 87-1 (Continued)

| R U L E | A | B | C | D |
|------------------|--|---|---|--|
| | If documents are or pertain to | consisting of | which are | then |
| 15 | changes in utilization of real property facilities | requests approved by DoD, HQ USAF, MAJCOMs and bases | at bases which maintain the real property accountable records | see table 87-5, rules 1, 2, 4, 5. |
| 16 | | | at HQ USAF, MAJCOMs and bases that keep information copies only | destroy when no longer needed for reference. |
| 17 | | requests disapproved by DoD, HQ USAF, MAJCOMs and bases | at all levels | |

NOTES: 1. On derequisitioning or return of real property to a local (CONUS) or foreign (oversea) government, major subordinate commands and base/station activities, forward their records to the next higher level of command, where they are held until it is determined that no claim will be filed against the United States. All machine listings other than those shown in rule 1, column B_g are to be disposed of when superseded.

- * 2. Offer to the National Archives 30 years after the unconditional sale or release by the government of all conditions, restrictions, mortgages or other liens.
- * 3. Maintain records as current documentation until inactivation of installation, at which time they will be retired as permanent.a

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~~Offer to National Archives 30 years after base inactivation~~

[Job amended by R. Wire per G. Rowe, 12-6-83]

Proprietorial Interest

This term is applied when the Government has acquired some right or title to an area in a state but has not obtained any of the state's authority over the area. Because of its functions and authority under various provisions of the Constitution, the Government has many powers and immunities in acquired land areas that ordinary landowners do not have. Further, all of its properties are held and functions are performed in a governmental capacity rather than a proprietary capacity.

Types of Federal Legislative Jurisdiction

1. Exclusive. When the Government has acquired, by whatever method, authority for all the state, and the state concerned has not reserved to itself the right to exercise any of the authority concurrently with the Government. The right to serve civil or criminal process for activities that occurred outside the area is an exception.

2. Concurrent. Cases when the state, in granting the Government authority that would amount to exclusive legislative jurisdiction over an area, has reserved to itself the right to exercise, concurrently with the Government, all of the same authority.

3. Partial. When the Government has been granted some of the state's authority to exercise over an area in a state, but the state concerned has reserved the right to exercise, by itself or concurrently with the Government, authority more than just the right to serve criminal process in the area (for example, the right to tax private property).