

100-115-1247744

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO.	NC1 235 78 5
DATE RECEIVED	SEP 8 1978
NOTIFICATION TO AGENCY	
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
11-6-78 Date	<i>James B. Reade</i> Archivist of the United States

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

1. FROM (AGENCY OR ESTABLISHMENT)
Department of Health, Education & Welfare

2. MAJOR SUBDIVISION
Office of the Asst. Secy. for Personnel Administration

3. MINOR SUBDIVISION
Reviewing Authority (Civil Rights)

4. NAME OF PERSON WITH WHOM TO CONFER
Mable Lee

5. TEL. EXT.
472-4904

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 2 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 8/18/78	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>Richard I. Slippem</i>	E. TITLE Director, Reviewing Authority (Civil Rights)
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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
/	<p><u>Case Files, Transcripts and Exhibits:</u></p> <p>The files are created as a result of administrative hearings under Title VI of the Civil Rights Act of 1964, Title IX of the Higher Education Amendment of 1972, and Executive Order 11246. They are composed documents of legal and letter size bond paper, bonded and loose leaf volumes, columnar paper and computer listings.</p> <p>Files include legal documents, motions, pleadings, transcripts and exhibits relating to proceedings. The Reviewing Authority (Civil Rights) is required by 45 CFR Part 81 to maintain the original and two copies of all documents and materials related to proceedings within the Office of the Civil Rights Hearing Clerk, a division of the Office of the Reviewing Authority. Each file contain the following types of materials and information:</p> <ul style="list-style-type: none"> (1) Letters of deferrals (2) Motions and Pleadings filed in administrative hearings (3) Legal Briefs (4) Affidavits (5) Hearing Transcripts (6) Trial Exhibits <p style="text-align: right;"><i>CC: NAF, all centers.</i></p> <p style="text-align: right;"><i>Items.</i></p>		

10/31/78. Change with approval of E. J. Reed (PL).

Description of Item

- (7) Initial Decisions of the Administrative Law Judge
- (8) Final Decision of the Reviewing Authority
- (9) Appeals to the Secretary, DHEW
- (10) Secretarial Dispositions

The purpose of the files are to maintain records of the proceedings as required by CFR Part 81. The files are subject to review by Congress, Department of Health, Education and Welfare, and other interested parties and agencies.

Files are used by attorneys in the DHEW and private attorneys representing parties involved in administrative hearings. The files may also be used as evidence in court proceeding or before semi-judicial bodies.

Disposition of Files:

~~Transfer to Federal Record Center (5) years after the close of procedure. Files must be permanently retained because they often serve as relevant evidence in long term administrative litigation and civil litigation in the federal courts.~~

Transfer to the FARC seven (7) after the close of procedure. Destroy twenty-five (25) years after close of procedure unless needed as precedential cases or for legal purposes. The files which are saved for these purposes must be reviewed annually for disposal.

Approved by Eugene J. Reed, Jr. 8/22/78
OS Records Officer