

Request for Records Disposition Authority

(See Instructions on reverse)

To National Archives and Records Administration (NIR)
Washington, DC 20408

1 From (Agency or establishment)
United States Department of Justice

2 Major Subdivision
National Security Division

3 Minor Subdivision

4 Name of Person with whom to confer
Kevin G. Tiernan

5 Telephone (include area code)
202/307-9972

Leave Blank (NARA Use Only)

Job Number
NI-060-07-5

Date Received
7/20/07

Notification to Agency

In accordance with the provisions of 44 U.S.C. 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10

Date
12/19/02

Archivist of the United States
[Signature]

6 Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached _____ 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, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies

is not required is attached has been requested

Signature of Agency Representative

[Signature]

Title

Director, ORMP

Date (mm/dd/yyyy)

07/12/2007

Item Number	8 Description of Item and Proposed Disposition	9 GRS or Superseded Job Citation	10 Action taken (NARA Use Only)
	<p>DOJ records documenting the activities of the Committee on Foreign Assets in the United States (CFIUS).</p> <p>***See attached***</p>		

le 11/9/08 copies sent to agency, DOWMB, NWMW, NWCT, & NR

Request for Records Disposition Authority
DOJ CFIUS Records

DOJ Records relating to the Committee on Foreign Investment in the United States (CFIUS): Records compiled from multiple sources by the National Security Division (NSD) in its role as the Attorney General's staff representative to the Committee on Foreign Investment in the United States.

Description: The Committee on Foreign Investment in the United States (CFIUS) is an interagency committee that serves the President in overseeing the national security implications of foreign investment in the economy. Companies voluntarily apply to the CFIUS for review of a proposed transaction or CFIUS member agencies may request a review of a transaction. Companies also may provide materials and information to CFIUS in advance of a formal filing and after a matter has been withdrawn but before it is resubmitted. CFIUS either, 1) clears the transaction based solely on the material filed, as supplemented by any additional material or information requested from the parties by CFIUS member agencies or developed by the agencies during their initial 30-day review; 2) requests that an 'investigation' be undertaken to determine the suitability of the transaction; or 3) recommends to the President that the transaction be blocked. CFIUS can also recommend that the transaction be cleared but with certain conditions in place that would have to be met, such as an ongoing oversight role by some agency or agencies of the U.S. Government. Such conditions may be documented in a variety of "mitigation" agreements. The Secretary of Treasury is the Chair of CFIUS.

These records are arranged by the CFIUS case file number.
Classification: up to TS/SCI.

1. NSD CFIUS FILES

A. Case files that are cleared within the thirty day period:

Disposition: TEMPORARY: Records of investment transactions subject to review by CFIUS. Records include financial and legal documentation and correspondence relating to mergers, acquisitions and takeovers by or with foreign persons.

Separate closed files annually and retire to records center storage. Destroy/delete when 10 years old.

- B. Case files that require further review (investigation), where there is a mitigation agreement that involves ongoing monitoring by the U.S. government, or where the CFIUS recommends that the transaction be blocked:

Disposition: PERMANENT: Records of investment transactions subject to review by CFIUS. Records include financial and legal documentation and correspondence relating to mergers, acquisitions and takeovers by or with foreign persons.

Separate closed files annually and retire to records center storage. Transfer to National Archives and records administration when 30 years old.