

<b>'REQUEST FOR RECORDS DISPOSITION AUTHORITY</b> (See Instructions on reverse)		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER N1-60-92-5	DATE RECEIVED 9-23-92
1 FROM (Agency or establishment) Department of Justice		NOTIFICATION TO AGENCY	
2 MAJOR SUBDIVISION Executive Office for U.S. Trustees		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
3 MINOR SUBDIVISION		DATE 2-14-94	
4 NAME OF PERSON WITH WHOM TO CONFER Edward F. Cincinnati, Asst. Director for Administration		ARCHIVIST OF THE UNITED STATES Cindy Huskarp Peters	
		5 TELEPHONE (202) 307-2759	

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 3 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, or  has been requested

DATE 09-23-92	SIGNATURE OF AGENCY REPRESENTATIVE <i>Bernard W. Berglund</i> Bernard W. Berglund	TITLE Records Officer, Systems Policy Staff, Justice Management Division
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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p><u>U.S. Trustee Field Office Records</u></p> <p>The United States Trustees handle the administration and oversight of cases filed pursuant to chapters 7, 11, and 13 of Title I of the Bankruptcy Reform Act of 1978 (Pub. L. 95-598) codified as Title 11, United States Code. Formerly established as a pilot program with limited jurisdiction, the U.S. Trustee Program, under the "Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986", (Pub. L. 99-554) is a permanent nationwide system for the administration of bankruptcy cases. This new law provides for 21 separate U.S. Trustee regions covering 94 judicial districts and also established a new Chapter 12 for the adjustments of debts of a family farmer with regular annual income. Chapter 12 of Title 11 of the U.S. Code is repealed on October 1, 1993. The U.S. Trustees are employees of the Department of Justice. The files are created for administrative purposes and do not constitute the official bankruptcy case file. The official bankruptcy files are maintained by each respective United States Bankruptcy Court.</p>	<p>NCl-60-82-6 NCl-60-83-1</p>	

*Copies sent to agency, NSR, NN-W, NNT, NCF 2/22/92*

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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p>Except with regard to Item 6, the disposition of any record provided below shall not be construed to require the UST to maintain such records.</p>		
1.	<p><u>Chapter 7 asset bankruptcy case files.</u> UST offices will retain case files until the case is closed by the Court.</p> <p><u>Disposition:</u> Transfer to the Federal Records Center (FRC) six months after the case is closed by the Court. Destroy three years after the case is closed.</p>	Nc1-60-82-6, #1	
2.	<p><u>Chapter 7 no-asset bankruptcy case files.</u></p> <p><u>Disposition:</u> UST offices shall destroy case files after reviewing the trustee's no-asset report.</p>	" , #2	
3.	<p><u>Chapter 11 bankruptcy case files.</u> UST offices will retain case files until (a) the case is dismissed by the Court, or (b) the Court issues an order confirming a reorganization plan.</p> <p><u>Disposition:</u> Transfer to the FRC six months after dismissal or confirmation. Destroy three years after dismissal or confirmation.</p>	" , #3	
4.	<p><u>Chapter 12 bankruptcy case files.</u></p> <p><u>Disposition:</u> UST offices shall destroy case files six months after the entry of an order dismissing the case, or the entry of an order confirming a Chapter 12 plan, whichever occurs first.</p>		
5.	<p><u>Chapter 13 bankruptcy case files.</u></p> <p><u>Disposition:</u> UST offices shall destroy case file materials after the expiration of the thirty (30) day period following the entry of the order dismissing the case, or the entry of an order confirming a Chapter 13 plan, whichever occurs first.</p>	Nc1-60-82-6, #4	

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6.	<p><u>Panel Trustees 180-day/semi-annual report.</u> UST offices will retain the two most recent 180-day/semi-annual reports provided by the panel trustees.</p> <p><u>Disposition:</u> The UST shall transfer eligible reports annually to the FRC. or upon accumulation of one cubic foot Destroy <del>after five years</del> when most recent record is five years old.</p>		
7.	<p><u>Cassette tapes of meetings of creditors and equity security holder held pursuant to 11 USC 341(a).</u></p> <p>a. <u>Cases filed under Chapters 7, 11, 12 and 13 of Title 11 USC.</u></p> <p><u>Disposition:</u> Except as provided in section b below, erase or destroy the cassette tapes two (2) years after the date of the conclusion of the meeting of creditors.</p> <p>b. <u>All cases under Title 11, USC.</u></p> <p><u>Disposition:</u> The cassette tapes may be retained for longer than the period described in section a above if the UST determines retention of the tapes to be useful for one of the following purposes:</p> <ol style="list-style-type: none"> <li>(1) collecting assets of the estate;</li> <li>(2) determining the appropriateness of discharge;</li> <li>(3) obtaining relevant information about the affairs of the debtor;</li> <li>(4) investigating the organization structure of the debtor;</li> <li>(5) fixing compensation of professional persons;</li> <li>(6) investigating or prosecuting criminal conduct, including but not limited to perjury.</li> </ol> <p><u>NOTE:</u> If the tapes are retained past the two-year retention period, they may be erased or destroyed whenever the UST thereafter determines that the basis for retention no longer exists.</p>	<p>NC1-60-83-1</p>	