

**REQUEST FOR AUTHORITY  
TO DISPOSE OF RECORDS**

(See Instructions on Reverse)

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

1. FROM (AGENCY OR ESTABLISHMENT)

Department of Justice

2. MAJOR SUBDIVISION

Criminal Division

3. MINOR SUBDIVISION

Classification, Mail and File Unit

4. NAME OF PERSON WITH WHOM TO CONFER

James W. Muskett

5. TEL EXT

2641

6 CERTIFICATE OF AGENCY REPRESENTATIVE

LEAVE BLANK	
DATE RECEIVED <b>JUL 29 1975</b>	JOB NO <b>NC - 60-76-2</b>
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
<b>WITHDRAWN</b>	
(Date)	Archivist of the United States

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

Jul 21, 1975

Date

*Robert M. Zahn*  
Robert M. Zahn

(Signature of Agency Representative)

Acting Chief,  
Directives & Records Management Unit

(Title)

7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
	<p><u>Records of the Criminal Division, Department of Justice</u></p> <p>The files of the Classification, Mail and File Unit in the Criminal Division, Department of Justice consists of (1) records created by the Division in carrying out the Department's responsibilities in matters arising under the laws of the United States and in which legal action taken or considered, and (2) records created by the Department on administrative matters relating to the Department and its various subordinate units and to the offices of United States Attorneys.</p> <p>The classified files of the Classification, Mail and File Unit of the Criminal Division is arranged by a subject-numeric system that uses numerical file designations usually made up of several parts. The primary classes, now numbering some 162, are usually identified with Federal laws or administrative or other subject titles. The secondary classes or sub-number, usually identify particular judicial districts, although this sequence is sometimes varied to include certain commodity or other related subject matter. A third sequence of numbers is used to identify each file folder which usually contains documents pertaining to particular cases that arise within a given district.</p> <p>This schedule provides for the disposal of the records comprising certain subject classes of the Classification, Mail and File Unit as follows:</p>		

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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
1.	<p>Except for those records specified for retention in item #2, all records (including correspondence and enclosure files) filed under each of the following subject classifications:</p> <p>CLASS 12 - Narcotic Act                      " 38 - Naturalization                      " 39 - Immigration                      " 71 - Neutrality                      " 72 - Election Frauds, Hatch Act, Corrupt Practices and Anti-Lobbying                      " 95 - 100 Extradition                      " 146 - World War II Classification                      " 158 - Internal Security Act of 1950</p> <p>The above classes should be disposed of 15 years after closing up to retaining as permanent records. Specific disposal program is set forth in Records Analysis Report.</p>		WITHDRAWN
2.	<p>Exclusive of file classification "05" (nolle prosequi cases) and "017" (cases to be developed), all records, under the above classes, identified as General Standard Subs ("0" series) and arranged under primary and secondary file classification only.</p>		WITHDRAWN

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	<p><u>Records Analysis Report</u></p> <p><u>General Disposal Justification</u></p>		
1.	<p><u>General Nature of Case Files</u></p> <p>The records that are accumulated under the subject classes covered by this schedule pertain to large numbers of legal actions generally filed against private citizens and a limited number of corporations. Actions on these cases is normally handled by the U.S. Attorney for the district wherein the violation occurs. Only a small percentage of these cases appealed from the district. Many are settled by pleas of guilty, plea bargaining or closed because of insufficient evidence to prosecute, other convictions, etc. Because of the routine nature of these actions, the Criminal Division exercises only minimum supervision and almost all are direct referral cases from the investigating agency to the offices of the United States Attorneys. Once these cases have been closed, their value for long term administrative purposes cease.</p>		
2.	<p><u>Duplicate Documentation</u></p> <p>A more complete account of actions filed in connection with these classes of cases can be found among the records of the U.S. Attorneys and the Courts. The Court records are retained permanently; however, portions of the U.S. Attorneys files are now disposed of when fifteen years old.</p>		
3.	<p><u>Reference Material</u></p> <p>A substantial part of the material under consideration in these classes consists of transcripts of court proceedings, copies of investigations, photostats of exhibits, briefs, etc., which are maintained strictly for reference convenience in supervising the processing of cases through the offices of the U.S. Attorney and the Court system. The material is fragmentary and upon close of the case becomes superfluous to the Division's needs. This is particularly true of appellate cases.</p>		

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4.	<p><u>Historical Research</u></p> <p>The above classes may and do contain information of a historical nature and may be of interest to historians. It is recognized that much of the material may be of a fragmentary nature but nevertheless may be valuable for furnishing to historians the documentation necessary for the preparation of scholarly publications.</p>		
5.	<p><u>Reference Use</u></p> <p>Since the Justice case files have been stored at the Federal Record Center at Alexandria, Virginia and at Baltimore, Maryland, there have been a number of occasions where we had to recall a certain number of cases in these classes when they were required for reference in other legal cases.</p>		

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	<p style="text-align: center;"><u>Specific Justification for Disposal</u></p> <p><u>Class - 12 Narcotics Act</u></p> <p>In general, the file includes correspondence, pleadings, etc., relating to cases instituted under the Controlled Substances Act (21 U.S.C. 801 et seq) and the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) as well as to proceedings under the Narcotic Addict Rehabilitation Act. In essence, such files relate to investigations, litigation, and other matters pertaining to narcotics, marihuana, and other dangerous drugs. Examples of materials found in such files are: copies of investigative reports compiled by the Drug Enforcement Administration; copies of indictments, memoranda of law, motions filed in court, court decisions, and appellate briefs; Department memoranda dealing with the appeal of adverse court decisions; correspondence with United States Attorneys concerning questions of law, policy and procedure; materials dealing with wiretap applications, immunity requests, witness protection requests, and electronic surveillance inquiries; comments on proposed legislation; and correspondence dealing with drug-related inquiries from citizens and from members of Congress.</p> <p>Dispose 15 years after close of case.</p> <p><u>Class - 38 Naturalization</u></p> <p>Files under this classification contain information on cases, relating to expatriation, naturalization, and revocation of naturalization. Most of the litigation material is also in files of the United States Attorneys. Information on these cases might also be found in the files of the Department of State, or the Immigration and Naturalization Service. Some cases may be included among the records of both the Immigration and Naturalization Service and the State Department. None of these sources is apt to have a complete record on the case, however. Information on these cases is often vital in determining citizenship claims of descendants of the persons involved.</p> <p>Dispose 50 years after close of case.</p>		

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	<p><u>Class - 39 Immigration</u></p> <p>Files under this classification contain information on cases relating to exclusion or deportation of aliens, applications for various benefits or relief provided by the immigration laws, criminal offenses and civil fine proceedings under those laws, and immigration bond proceedings. Most of this information is also in the United States Attorneys' files. Our files, in addition, contain much information relating to interagency, intra-Divisional and intra-Departmental communication. These cases, particularly deportation cases, are often of long duration and recurrent.</p> <p>Dispose 20 years after close of case.</p> <p><u>Class - 71 Neutrality</u></p> <p>Records consist of cases involving internal security statutes that prohibit, <u>inter alia</u>, private correspondence with foreign governments, enlistment in foreign service, or expedition against a friendly nation. The material in such files is similar to that in other criminal files, including investigative reports, pleadings and correspondence. These records are of great historical interest and should be retained for 50 years after closing.</p> <p><u>Class - 72 Election Frauds - Hatch Act, Corrupt Practices &amp; Anti Lobbying</u></p> <p>The Election Unit of the Fraud Section has supervisory jurisdiction over the Federal Election statutes and the Federal Regulation of Lobbying Act. With respect to all matters arising under these statutes, the Federal Bureau of Investigation is authorized to conduct investigations into possible violations of law.</p> <p>The "Hatch Act" is administered by the U.S. Civil Service Commission.</p> <p>Matters come to the attention of the Elections Unit through information provided by citizens, Members of the House and Senate, news media, as well as reports from various Federal agencies. The newly created Federal Elections Commission is expected to refer numerous matters to the Unit for its attention. Upon receipt of a matter in the Elections Unit, it is assigned to an Attorney who reviews it and thereafter recommends either that it be "closed" or that</p>		

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	<p>investigation is warranted.</p> <p>Dispose 15 years after closing of case.</p> <p><u>Class 95-100 Extradition</u></p> <p>Files under this classification contain requests by foreign governments for the extradition of fugitives from the United States to foreign countries and requests by United States Attorneys for the extradition of fugitives to the United States from foreign countries. The papers include documents in support of extradition, correspondence, briefs and other court papers. Some of these files include correspondence from the Department of State concerning pending extradition treaty negotiations, or relate to the return of fugitives by methods other than extradition, e.g., revocation of passport privileges pursuant to 22 C.F.R. 51.70 (a) (1) and 51.71 (a). Some of these papers may be included in the files of the United States Attorneys and/or the Department of State. These files may be of precedential value in future dealings with foreign countries in extradition matters. They may also have historical or other research value.</p> <p>Dispose 20 years after close of case.</p> <p><u>Class 146 - World War II Classification</u></p> <p>Records consist of cases involving a large number of statutes in the internal security area. They include such serious matters as espionage, treason, sedition, and sabotage. Action in these cases usually is handled by the Department of Justice in Washington, rather than by the U.S. Attorney for the district where the violation occurs. These cases usually are appealed.</p> <p>A substantial part of the material involved is investigative reports, inter and intra-office correspondence, public mail and copies of pleadings.</p>		

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	<p>Many of the matters in these records are of substantial historical interest, and the Department has received numerous requests for access to these records pursuant to the Freedom of Information Act. Consequently, it is recommended that they be retained for 30 years after closing.</p> <p><u>Class 158 - Internal Security Act of 1950</u></p> <p>Records pertaining to the Internal Security Act of 1950, include cases involving the communication of classified information by a Government officer or employee, and the receipt of classified information by a foreign agent.</p> <p>The material included in these records is similar to that in the Class 146 records, they are of historical interest, and it is recommended that they be retained for 50 years after closing.</p> <p>It should also be noted that file numbers 129-11, 129-012-3, 145-12-97, 44-4-8-0, 146-1-43-199, 146-1-13-0, and 125-35-6 contain materials relating to the assassinations of President John F. Kennedy, Senator Robert Kennedy, Martin Luther King and Governor George Wallace and should be set aside for permanent preservation because of their historical value.</p>		