

Rec NCU 21 Nov 79

REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See Instructions on reverse)

LEAVE BLANK
JOB NO NCL-60-80-4
DATE RECEIVED 11-21-79
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10
12-5-79 <i>James E. O'Neill</i> Date <i>acting</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 Justice

2. MAJOR SUBDIVISION
Justice Management Division

3. MINOR SUBDIVISION
Records and Publications Staff

4. NAME OF PERSON WITH WHOM TO CONFER
Hazel D. Stewart

5. TEL EXT
633-2274

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 11/16/79	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>Robert M. Zahn</i>	E. TITLE Chief, Records Maintenance and Disposition Section (APMS/OMF)
---------------------	--	---

7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
	<p><u>Controlled Substances Act - Nonpublic Records</u></p> <p>All recordation, including index or other docketing records, relating to a person's investigation, arrest, indictment or information, trial, finding of guilty and dismissal and discharge, pursuant to the Controlled Substances Act, Title 21, U.S.C., Section 844(b) as implemented by Department of Justice Order 2710.7B, and certified copies of court orders which require the retention of the above recordation as a nonpublic record. In the event that multiple subjects/defendants are contained in records material, only the recordation of the subject/defendant designated by a certified court order will be maintained as a nonpublic record. Recordation under this act includes that contained in U.S. Attorneys' offices; Justice Management Division, Records and Publications Staff, Records Management Group (JMD/RPS/RMG); the caseload information reporting systems maintained by Justice Management Division, Systems Design and Development Staff (JMD/SDDS); and the records of the headquarters and field offices of the Criminal Division, the United States Marshals Service (USMS), the Federal Bureau of Investigation (FBI) and the Drug Enforcement Administration (DEA).</p> <p>The aforesaid nonpublic records are retained solely for the</p>		3 items

115-107
Copy to Agency NEW, WDF SE 12-11-79 closed

Request for Records Disposition Authority -- Continuation

JOB NO

PAGE OF
2 of 2

7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
	<p>purpose of use by the courts in determining whether or not, in subsequent proceedings, a person qualifies for a dismissal and discharge.</p> <p>1. Nonpublic files maintained by JMD/RPS/RMG. Disposition: Transfer to Federal Records Center(FRC) 10 years after expiration of term of probation. Destroy 50 years after expiration of term of probation.*</p> <p>NOTE: Upon receipt of a certified copy of the court order of dismissal and discharge under 21 U.S.C. Section 844(b)(1), the Controlled Substances Act, the FBI shall forward the FBI fingerprint card to JMD/RPS/RMG for inclusion in its nonpublic file.</p> <p>2. Nonpublic files maintained by DEA Disposition: Transfer closed case files to FRC when 10 years old, in one year groups. Destroy when 55 years old (i.e., 55 years from the date the file was opened).*</p> <p>NOTE: The requested retention period of 55 years for DEA nonpublic files is based on the approved schedule for DEA case files. Nonpublic material is not separated out from other case file material because most documents in the case file contain information on multiple subjects, (not always a defendant). This makes total segregation impractical. Therefore, the file material for nonpublic defendants should be retained for the same period of time as other case file material. However, the front of the DEA file jacket containing nonpublic material will be stamped with the notation: "Information in this file on (subject's name) is a nonpublic record".</p> <p>3. All other nonpublic files. Disposition: Destroy 3 years after expiration of term of probation.</p> <p>* Changes in wording of disposition instructions authorized by Hazel D. Stewart, Records Maintenance & Disposition Section, per telecom of Nov. 28/79. <i>HDS, 11/28/79</i></p>	NC-170-75-1	