

16 Mar 1982

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO	
NCR-65-82-18	
DATE RECEIVED	
March 16, 1982	
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
WITHDRAWN	
Date	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

Federal Bureau of Investigation

3 MINOR SUBDIVISION

Records Management Division

4 NAME OF PERSON WITH WHOM TO CONFER

Robert W. Scherrer

5 TEL EXT

4185

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 1 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	D SIGNATURE OF AGENCY REPRESENTATIVE	E TITLE
3/3/82	<i>Robert W Scherrer</i>	Section Chief

7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
1.	<p>Deletion or expungement of data elements within a document or file item and/or removal and destruction of an entire document or file item as described and authorized by General Services Administration Bulletin FPMR B-74, dated January 17, 1978, and issued to heads of Federal agencies (copy attached). (Authority was withdrawn by court order on January 10, 1980; resolved by modified orders issued on April 3, 1980 and June 9, 1981; and has been held in abeyance since August 1981, until resolution by NARS.)</p> <p><u>Destroy, amend or expunge as authorized by GSA Bulletin FPMR B-74.</u></p>		WITHDRAWN

Withdrawn: 3-25-82: K.T.D.

GENERAL SERVICES ADMINISTRATION
WASHINGTON, D. C. 20405

January 17, 1978

GSA BULLETIN FPMR B-74
ARCHIVES AND RECORDS

TO : Head of Federal agencies

SUBJECT: Disposal of Federal records in response to requests made pursuant to the Privacy Act

1. Purpose. This bulletin transmits revised guidelines designed to ensure agency compliance with Federal records disposal requirements when responding to requests to amend a record under provisions of the Privacy Act of 1974.

2. Expiration date. This bulletin will remain in effect until superseded or canceled.

3. Background.

a. Chapter 33 of title 44, United States Code, sets forth procedures for the disposal of records of the U.S. Government. Section 3314 of title 44 provides that no records of the Government shall be alienated or destroyed by a Federal agency except in accordance with chapter 33. Under this chapter, Federal records may not be destroyed unless disposal is approved by the Archivist of the United States, as delegate of the Administrator of General Services. Procedures for obtaining the necessary approval are contained in FPMR 101-11.406.

b. The Privacy Act permits an individual to examine records relating to him maintained in a system of records by Federal agencies. The individual may also request that records containing inaccurate, out-of-date, or misleading information be amended by correcting or expunging the information. An agency may agree to amend a record, or the individual may institute judicial action to try to compel an agency to amend a record.

c. Since there has been some misunderstanding concerning disposal of Federal records in response to requests made pursuant to the Privacy Act, it is necessary to specify which records may be destroyed and how destruction is to be accomplished. Records already accessioned into the National Archives are exempted from the Privacy Act provision allowing individuals to request that records relating to them be amended. Most provisions of the Privacy Act apply only to those systems of records which are under the legal control of the originating agency; e.g., an agency's current operating files or records stored at a Federal records center.

d. The guidelines listed in paragraph 4 are designed to clarify the provisions of the Federal Records Act and the Privacy Act as they relate to the destruction of records as a result of request for amendment.

4. Guidelines. The disposal of records in response to requests from individuals to amend records under the Privacy Act must be carried out in accordance with chapter 33 of title 44, United States Code, and FPMR 101-11.406. Adherence to the following guidelines will ensure that these requirements are met.

a. Data elements within a document or file item (a document with related attachments) may be amended or removed if the agency agrees to the amendment. A data element is a piece of information recorded on a document; e.g. block 3, date of birth, on Standard Form 50, Notification of Personnel Action.

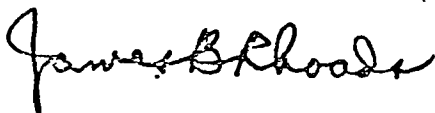
b. Removal and destruction of an entire document or file item is permitted if the agency determines that compliance with 5 U.S.C. 552a(d)(2) requires such removal and destruction.

c. A Standard Form 115, Request for Records Disposition Authority, must be submitted to the General Services Administration (NCD), Washington, DC 20408, in order to effect immediate destruction of:

(1) A series of records or file units (folders) within a series which have been approved by NARS for some eventual disposition, or

(2) Any records series or file units for which disposition has not been authorized.

5. Cancellation. GSA Bulletin FPMR B-72 of August 10, 1977, is canceled.



JAMES B. RHOADS
Archivist of the United States