

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK (NARA use only)	
TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER N1-48-93-3	DATE RECEIVED 10/27/93
1. FROM (Agency or establishment) Department of Interior		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
2. MAJOR SUBDIVISION Office of the Secretary			
3. MINOR SUBDIVISION Office of the Solicitor		DATE 3-21-94	ARCHIVIST OF THE UNITED STATES <i>Credly Hankamp Peterson</i>
4. NAME OF PERSON WITH WHOM TO CONFER Richard Willis	5. TELEPHONE (202) 208-5435		
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, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE 10/27/93	SIGNATURE OF AGENCY REPRESENTATIVE <i>Richard C. Willis</i>	TITLE	
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
1.	<p style="text-align: center;">³⁵</p> <p>New Item H34: Closed Surface Mining Control and Reclamation Act (SMCRA) Case Files.</p> <p>Judicial litigation case files documenting legal actions brought under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). These records include offensive litigation files of actions to collect reclamation fees and civil penalties, actions for injunctions to compel reclamation of mine sites, claims filed in bankruptcy proceedings, and defensive litigation files of actions brought against the United States, the Department of Interior, the Office of Surface Mining Reclamation and Enforcement, or its employees.</p> <p>a. Cases selected by the Office of the Solicitor because of historical and precedent setting nature (See Item H12 for selection criteria).</p> <p>AUTHORIZED DISPOSITION: PERMANENT. Cut off files when the case is closed. Transfer to the Federal Records Center 3 years after cut off. Transfer to the National Archives 10 years after the case is closed.</p> <p><i>Copy sent to agency, NSR, NN-W, NNT, NCF, NIA 3/24/94</i></p>		

b. Nonselected case files

AUTHORIZED DISPOSITION: Break closed files every FY and transfer to the FRC when 3 years old. Destroy 10 years after the case is closed.

2. H12. NOTE TO ITEMS H10, 11, 12, 14, 15, 23, 24, 27, 28, 31, 33, ~~and 34~~, and 35.

In selecting litigation case files for permanent retention because of the precedent-setting nature of the case, the Office of the Solicitor will use the following criteria:

- A. Cases that result in court decisions that significantly interpret legislation or regulations.
- B. Cases that are deemed to be significant for investigative or litigation procedures, including contested and/or uncontested cases.
- C. Cases that gain national attention because of considerable Congressional or public interest.
- D. Cases that show possible conflicts of interest.

Modification to NC1-48-77-1, Item H12 ("³⁵~~34~~" added)