

**REQUEST FOR RECORDS DISPOSITION AUTHORITY***(See Instructions on reverse)*

LEAVE BLANK (NARA use only)

JOB NUMBER

NI-185-97-10

DATE RECEIVED

3-31-97

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)  
WASHINGTON, DC 20408

1. FROM (Agency or establishment)

Panama Canal Commission

2. MAJOR SUBDIVISION

Administrative Services Division

3. MINOR SUBDIVISION

Records Management Branch

4. NAME OF PERSON WITH WHOM TO CONFER

Denise B. Will

5. TELEPHONE

(301) 420-0675

ext. 272-5033

DATE

7-14-97

ARCHIVIST OF THE UNITED STATES

John W. Paul

## 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,



is not required;



is attached; or



has been requested.

DATE

3/20/97

SIGNATURE OF AGENCY REPRESENTATIVE

M. Jeanne Hinek

TITLE

Chief, Records Management Branch

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 GRS OR SUPERSEDED JOB CITATION	10.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;"><b>PANAMA CANAL COMMISSION LAW AND LEGAL MATTERS</b></p> <p style="text-align: center;"><b>LEGISLATIVE RECORDS</b></p> <p><u>Legislative Files.</u> Correspondence, memoranda, and working papers which provide formal comments or interpretations by the agency's legal counsel or program officials of amendments to existing laws and regulations, or the effects of proposed legislation on the operation of the Panama Canal or other Federal agencies.</p> <p><del>a. General opinions or comments on legislation relating to other Federal agencies.</del></p> <p><del>TEMPORARY. Destroy 1 year after the end of the particular session of Congress (i.e., 102nd, 103rd).</del></p>	(Job No. NC1-185-93-3 item 1a)	WITHDRAWN

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~~b. Opinions and comments on legislation directly related to the operation and administration of the Panama Canal.~~

- (1) Office of the Secretary, Panama Canal Commission

*PERMANENT. Cut off file at the end of the particular session of Congress (i.e., 102nd, 103rd). Retire to the Washington National Records Center (WNRC) 2 years after cutoff. Transfer to the National Archives in 5-year blocks 15 years after cutoff. (e.g., transfer 1981-1985 block in 2001)*

- (2) All other offices.

*TEMPORARY. Destroy when 5 years old or when no longer needed for reference.*

Job NC1-185-93-3  
 item 1b

*WITHDRAWN*

**LEGAL OPINION RECORDS**

2 Legal Opinion Files. Decisions or opinions rendered by the agency's legal counsel in connection with the interpretation of the Treaty, statutes, and related case law, on questions arising out of the various activities conducted by the agency and all personnel questions. (Records from 1955-Present. Volume 6 cu. ft.)

*PERMANENT. Transfer to National Archives when 20 years old or when legal and research value ceases, whichever is later.*

**NOTE:** Transfer duplicate set to the Panama Canal Authority Archives when no longer needed for reference.

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<i>3</i>	<p style="text-align: center;"><b>LITIGATION RECORDS</b></p> <p><b>Litigation Case Files.</b> Documents relating to litigation by or against the agency resulting from civil or criminal actions, admiralty claims, contract disputes, bankruptcy cases, and labor, EEO, and FOIA administrative hearing appeals to a U.S. District Court or Court of Federal Claims. Included are statements of claims, documentary evidence, copies of proceedings and decisions, list of witnesses, supporting documents, correspondence, and related records.</p> <p>a. Cases designated as significant by the General Counsel based on the following criteria:</p> <ul style="list-style-type: none"> <li>- Cases which result in court decisions that significantly interpret statutes and regulations.</li> <li>- Cases which are heard by the appellate courts or the U.S. Supreme Court.</li> <li>- Cases which are deemed to be significant for investigative or litigation procedures or other important precedent. These may include appellate or lower court decisions, as well as cases of regional or public interest.</li> <li>- Cases which show possible conflicts of interest.</li> </ul> <p><i>PERMANENT. Cut off annually following closure of case by authority of the General Counsel or disposition of court action. Retain in office 3 years and retire to Agency Records Center. Transfer to the National Archives in 5-year blocks when latest case is 20 years old.</i></p>	<i>(Job No. NC1-185-93-2 item 1a)</i>	<i>WITHDRAWN</i>

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b.	<p>Routine Cases.</p> <p>(1) Admiralty Cases.</p> <p><i>TEMPORARY. Cut off annually following closure of case by authority of the General Counsel or disposition of court action. Retain in office 2 years and retire to Agency Records Center. Destroy when 40 years old.</i></p>		
	<p><del>(2) All other cases.</del></p> <p><del><i>TEMPORARY. Cut off annually following closure of case by authority of the General Counsel or disposition of court action. Retain in office 2 years and retire to Agency Records Center. Destroy when 7 years old.</i></del></p>	<p>Job No. NC1-185-93-2 item 1b</p>	<p><i>WITHDRAWN</i></p>
<del>4</del>	<p><del><u>Index to Litigation Case Files.</u></del></p> <p><del>Card index arranged alphabetically by plaintiff containing an abstract of the case. Included are the case number, relief sought, and disposition of the case. These cards are maintained separate from the related case files and used extensively by the Office of General Counsel in research.</del></p> <p><del><i>PERMANENT. Transfer to the National Archives 20 years after case is closed, or when no longer needed for reference, whichever is sooner.</i></del></p>	<p>Job No. NC1-185-93-2 item 2</p>	<p><i>WITHDRAWN</i></p>

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<del>5</del>	<p style="text-align: center;"><b>CONTRACT APPEAL FILES</b></p> <p><u>Contract Dispute and Appeal Case Files.</u>            Arising under the Contracts Dispute Act, consisting of notices of appeal and acknowledgments thereof; correspondence between parties; copies of contracts, plans, specifications, exhibits, change orders, and amendments; transcripts of hearings; documents received from parties concerned; final decisions; and all other related papers, OTHER than litigation cases.</p> <p><i>TEMPORARY. Destroy 1 year after final action or decision.</i></p>	GRS 3, item 15b	
<del>6</del>	<p style="text-align: center;"><b>GARNISHMENT FILES</b></p> <p><u>Garnishment Case Files.</u>            Correspondence and legal documents relating to the garnishment of employee pay for child support and alimony. Includes court orders for allotment of employee pay, resolutions ordering alimony processes, requests for allotment, General Counsel rulings, deduction schedules and paperwork from Republic of Panama Courts. Files are arranged by employee name. (Privacy Act System PCC/FMAP-2).</p> <p><i>TEMPORARY. Destroy 3 years after garnishment is terminated</i></p>	GRS 2, item 18	
7	<p style="text-align: center;"><b>ADMINISTRATIVE CLAIMS FILES</b></p> <p><u>Administrative Claims Files.</u> Case files related to claims for marine accidents, personal property loss or damage, and miscellaneous claims for injury, pay, etc. Includes claim form, date, time, and description of accident, witness statements, damage reports, hearing transcripts, medical reports, vouchers, and related information. (Privacy Act System, PCC/GCCL-1)</p>		

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a. Records Relating to Claims "Against" the PCC for moneys which have been administratively (1) disallowed in full or (2) allowed in full or in part, and final payment of the amount awarded, **EXCLUDING** claims covered in sub-item c. below.

(1) Marine Accident Claim Files maintained by the agency claims office.

*TEMPORARY. Cut off file after disposition of the claim. Transfer to the Agency Records Center 2 years after cut off. Destroy 7 years after cut off.*

~~(2) Personal Property Claims Files and Miscellaneous Claims maintained by the agency claims office.~~

*TEMPORARY. Destroy when 6 years, 3 months old.*

~~(3) All other copies.~~

*TEMPORARY. Destroy when 2 years old or when no longer needed for reference, whichever is sooner.*

b. Records Relating to Claims "By" the PCC for money or property which were administratively determined to be due and owing to the United States and which are subject to the Federal Claim Collection Standards (4 CFR Chapter II), and 28 U.S.C. 2415 or 31 U.S.C. 3716 (c)(1), **EXCLUDING** claims covered under sub-item c. below.

GRS 6, item 10a

GRS 23, item 1

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~~(1) Claims which were paid in full or by means of a compromise agreement pursuant to 4 CFR Part 103.~~

~~TEMPORARY. Destroy when 6 years, 3 months old.~~

GRS 6, item 10b(1)

(2) Claims for which collection action has been terminated under 4 CFR Part 104.

~~(a) Claims for which the Government's right to collect was not extended.~~

~~TEMPORARY. Destroy 10 years, 3 months after the year in which the Government's right to collect first accrued.~~

GRS 6, item 10b(2)(a)

~~(b) Claims for which the Government is entitled (per 28 U.S.C. 2415) to additional time to initiate legal actions.~~

~~TEMPORARY. Destroy 3 months after the end of the extended period~~

GRS 6, item 10b(2)(b)

~~(3) Claims which the agency administratively determines are not owed to the United States after collection action was initiated.~~

~~TEMPORARY. Destroy when 6 years, 3 months old.~~

GRS 6, item 10b(3)

c. Claim files that are affected by a court order or that are subject to litigation proceedings.

TEMPORARY. Transfer claim file to the Office of General Counsel for litigation proceedings.

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~~8~~ **Waiver of Claims Files.** Records relating to waiver of claims by the PCC against a person arising out of an erroneous payment of pay allowances, travel expenses, or relocation expenses to an agency employee, including bills of collection, requests for waiver of claim, investigative reports, decisions by the agency and/or GAO approving or denying the waiver, and related records.

a. Approved waivers (agencies may approve amounts not aggregating to more than \$500 or GAO may approve any amount.

*TEMPORARY. Destroy 6 years, 3 months after the close of the fiscal year in which the waiver was approved.*

b. Denied waivers.

*TEMPORARY. Destroy with related claims files in accordance with item 7 of this schedule.*

GRS 6, item 11a

GRS 6, item 11b

~~9~~ **Requests for information:** Requests for background information on employees that may be involved in claims against the agency or its employees OTHER than personal property claims.

*TEMPORARY: Destroy when 2 years old*

GRS 18, item 11.