

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO NC1-56-76-4	
DATE RECEIVED APR 5 1976	
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
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 the Treasury

2. MAJOR SUBDIVISION
Office of the Secretary

3. MINOR SUBDIVISION
Office of the General Counsel

4. NAME OF PERSON WITH WHOM TO CONFER
Miss Sarah J. Allen

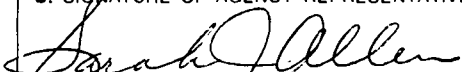
5. TEL EXT
964-5091
Code 184

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 five 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 <u>4-9-76</u>	D. SIGNATURE OF AGENCY REPRESENTATIVE 	E. TITLE Acting Paperwork Management Officer Office of the Secretary
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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>This schedule covers records accumulated by the Legal Division of the Office of the General Counsel in its support of the Office of the Secretary. This includes the Secretary, the Deputy Secretary, the Under Secretaries, the Assistant Secretaries, and those Bureaus which do not have a legal staff (Government Financial Operations, Engraving and Printing, Federal Law Enforcement Training Center, and Savings Bond Division).</p> <p>SUPERSESSION: II-NNA-789 (1-29-54) NN-170-11 (6-18-70) NN-172-148 (3-10-72)</p> <p>Official copies of legal opinions and interpretations consisting of one processed copy of each formal opinion and one copy of informal memorandum opinions setting forth points of law with supporting background documentation and related indexes.</p> <p>DISPOSITION: PERMANENT: Break files annually; hold 30 years. Offer directly to NARS. Review every 5 years ending in "0" and "5".</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
2	<p>One copy of each "Legal Division Order" with supporting documentation. Primary documentation relating to the substantive aspects of the inception, development, and operation of the Office's programs.</p> <p>DISPOSITION: PERMANENT: Break files annually; hold 30 years. Offer directly to NARS. Review every 5 years ending in "0" and "5".</p>		
3	<p>Precedent files, consisting of correspondence, briefs, digests, reports, and general subject matter, involving cases which establish precedent.</p> <p>DISPOSITION: PERMANENT: Break files annually; hold 30 years. Offer directly to NARS. Review every 5 years ending in "0" and "5."</p>		
4.	<p>Litigation subject files consisting of court pleadings, correspondence, memoranda, studies, appraisals, court decisions and related documents.</p> <p>DISPOSITION: PERMANENT: Transfer to WNRC when requirement for legal or administrative purposes no longer exists, <u>or</u>, after 6 years, whichever is sooner. Offer to NARS 25 years from date of scheduled transfer.</p>		
5	<p>Litigation case files:</p> <p>a. Relating to:</p> <ul style="list-style-type: none"> (1) Patent applications (2) Copyrights (3) Trademarks <p>b. Involving:</p> <ul style="list-style-type: none"> (1) State Governments (2) Foreign Governments (3) Local Governments <p>c. Receiving national publicity because of Congressional or "human interest" matters.</p> <p>d. Precedentially significant with respect to the Department's interpretation of legislation or which provide guidance to the legal staff.</p> <p>e. The decisions of which significantly affect the functions, programs, or missions of the Department of the Treasury, or any office thereof, or the authority of a Department official.</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
5	<p>f. Any other cases which may be precedentially significant with respect to the effect of court decisions or litigation.</p> <p>DISPOSITION: PERMANENT: Transfer to WNRC 5 years after close of case. Offer to NARS 25 years from date of scheduled transfer.</p>		
6	<p>Legislative history files - Case files of the development of legislation to the Congress through final passage to include copies of drafts, bills as introduced, reports thereon, and correspondence with sponsors and other interested Departments or parties, and related indexes.</p> <p>DISPOSITION: PERMANENT: Break file end of each Congress; hold 8 years. Transfer to WNRC. Offer to NARS 25 years from date of scheduled transfer.</p>		
7	<p>Legislative subject files, consisting of proposed legislation which did not reach bill status, background material, reports or comments thereon.</p> <p>DISPOSITION: Break file at end of each Congress. Treat as reference file. Review every 2 years to eliminate obsolete material.</p>		
8	<p>Program substantive or "subject correspondence" files of the General Counsel and Assistant General Counsels. (Does not included facilitative or housekeeping files.)</p> <p>DISPOSITION: PERMANENT: Break files annually; hold 5 years. Transfer to WNRC. Offer to NARS 25 years from date of scheduled transfer.</p>		
9	<p>Working papers of individual attorneys consisting of unofficial copies of documents, such as preliminary drafts of letters, memoranda, and reports.</p> <p>DISPOSITION: Retain as source data until work is completed or finalized and transferred to a more permanent form. Destroy on-site. Review annually.</p>		
10	<p>Treasury decisions and regulations concerning individual bureaus and containing documentation on reference points. (Information copies retained to satisfy administrative and legal requirements.)</p> <p>DISPOSITION: Break files annually, hold 5 years; transfer to WNRC. Destroy 10 years from date of scheduled transfer.</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
11	<p>Case files of attorneys, certified public accountants and enrolled agents concerning issues of conduct in their practice before the Internal Revenue Service.</p> <p>a. Active Cases.</p> <p>DISPOSITION: Move to inactive case files upon close of case; transfer to WNRC 5 years after close of case.</p> <p>b. Inactive Cases.</p> <p>DISPOSITION: Destroy by burning 25 years from close of case.</p>		
12	<p>Appeal files from decisions of the Commissioner of Internal Revenue denying applications for enrollment to practice before the IRS.</p> <p>DISPOSITION: Transfer to WNRC 5 years after case is closed. Destroy by burning 25 years from close of case.</p>		
13	<p>Files of disciplinary action proceedings against attorneys, et al, brought before administrative law judges (Administrative Procedures Act).</p> <p>DISPOSITION: Transfer to WNRC 5 years after case is closed. Destroy by burning 25 years from close of case.</p>		
14	<p>Informational data acquired on attorneys, et al, over whom there is no current jurisdiction. May include situations wherein the information is not sufficiently serious to warrant a case file but may be subject to development at a future time.</p> <p>DISPOSITION: Destroy by burning 5 years after date of last document.</p>		
15	<p>Public Correspondence involving unofficial interpretation of the regulations governing practice before the Internal Revenue Service. (31 CFR 10)</p> <p>DISPOSITION: Destroy after 5 years by burning. Review annually.</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
16	<p>Customhouse broker files consisting of administrative pleadings, correspondence, memoranda and decisions of the Assistant Secretary of the Treasury (Enforcement, Operations, and Tariff Affairs) with regard to disciplinary action against customhouse brokers.</p> <p>DISPOSITION: Transfer to WNRC 5 years after case is closed. Destroy by burning 25 years from close of case.</p>		