

# WITHDRAWN - RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Request for Records Disposition Authority

Records Schedule DAA-0237-2014-0002

## Request for Records Disposition Authority

Records Schedule Number DAA-0237-2014-0002  
Schedule Status Returned Without Action  
Agency or Establishment Federal Aviation Administration  
Record Group / Scheduling Group Records of the Federal Aviation Administration  
Records Schedule applies to Agency-wide  
Schedule Subject Legal Big Bucket Schedule  
Internal agency concurrences will be provided No

### Background Information

The Office of Chief Counsel's primary function is to provide legal counsel and advice on substantive matters pertaining to the full range of agency functions, reviewing agency action for legal sufficiency, and providing representational services. This function generates and maintains records related to legal opinions and interpretations and case files used for the conduct of administrative hearings, including those relating to regulatory violations that result in legal enforcement action, and federal court litigation. Also included are case files relating to FAA specific administrative adjudicative functions including appeals from decisions of administrative judges in specified civil penalty actions and alternative dispute resolution activity and hearing case files maintained by the Office of Dispute Resolution for Acquisition (or successor units).

### NOTES:

1. This is a media neutral schedule with retentions applied regardless of format or media unless specifically noted otherwise.
2. This schedule does not include or supersede any General Records Schedule items.
3. This schedule applies across FAA organizational units.
4. This schedule does not supersede the following NARA schedules: N1-237-92-4; NN-163-163 (Item 11 only); NC1-237-77-3 (Item 87 only); N1-237-06-1 (Item 5a and 5b only) and; N1-237-05-3 (Item 1 only).
5. All duplicates and other convenience copies of records described in this schedule may be deleted and/or destroyed when no longer

# WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

needed; and must not be kept past the approved retention period assigned to the Official Agency Record.

6. See the Policy and Regulations schedule for items covering policy and regulations interpretations, docket and similar records.

## Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
0	0	0	8

## GAO Approval

# WITHDRAWN - RETURNED WITHOUT ACTION

## Outline of Records Schedule Items for DAA-0237-2014-0002

Sequence Number	
1	Legal Opinions and Interpretations.
1.1	Legal Decisions and/or Opinions identified by the AGC as having Precedent and/or Significant value. Disposition Authority Number: DAA-0237-2014-0002-0001
1.2	All other legal opinion and legal interpretation files. Disposition Authority Number: DAA-0237-2014-0002-0002
2	Administrative Hearings or Appeals and Federal Court Litigation.
2.1	Administrative Hearing or Appeal Case Files identified by the AGC as having Significant and/or Precedent Setting value. Disposition Authority Number: DAA-0237-2014-0002-0003
2.2	Administrative Hearing or Appeal Case Files not identified as precedential. Disposition Authority Number: DAA-0237-2014-0002-0004
2.3	Federal Court Litigation Case Files identified by AGC as having Significant and/or Precedent Setting value. Disposition Authority Number: DAA-0237-2014-0002-0005
2.4	Federal Court Litigation Case Files not identified as precedential. Disposition Authority Number: DAA-0237-2014-0002-0006
3	Working and Supporting Files.
3.1	Attorney Working Files Disposition Authority Number: DAA-0237-2014-0002-0007
3.2	Supporting Files and Reference Materials. Disposition Authority Number: DAA-0237-2014-0002-0008

WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

## Records Schedule Items

Sequence Number									
1	<p>Legal Opinions and Interpretations. This sub-function covers legal decisions or opinions on questions arising from laws, regulations, and other matters affecting FAA and legal interpretations of regulations and related legislation. This section applies to all legal subject areas.</p>								
1.1	<p>Legal Decisions and/or Opinions identified by the AGC as having Precedent and/or Significant value.</p> <p>Disposition Authority Number      DAA-0237-2014-0002-0001</p> <p>Precedent setting opinions and decisions typically involve a significant interpretation of FAA statutes, authorities or regulations, and/or reflect significant changes and/or developments. Agency General Counsel (AGC) identifies those opinions and/or legal decisions which have significant and/or precedent setting value for the agency.</p> <p>Final Disposition                      Permanent</p> <p>Item Status                                Withdrawn</p> <p>Is this item media neutral?            Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e- mail and word processing?          No</p> <table border="1" style="width: 100%;"> <thead> <tr> <th style="width: 50%;">Manual Citation</th> <th style="width: 50%;">Manual Title</th> </tr> </thead> <tbody> <tr> <td>2000.1a</td> <td>Order 1350.15C Records Organization, Transfer, and Destruction Standards</td> </tr> <tr> <td>2010.1a</td> <td></td> </tr> <tr> <td>2010.1ba</td> <td></td> </tr> </tbody> </table> <p>GRS or Superseded Authority Citation                                    NC1-237-77-3/81a    NC1-237-77-3/82a    NC1-237-77-3/82b1</p> <p>Disposition Instruction</p> <p>If this item has multiple sections. indicate here records to which this section apply                      Non-electronic Textual Records</p> <p>Cutoff Instruction                      Cut off closed files annually.</p> <p>Transfer to Inactive Storage          Transfer to FRC when 3 years old.</p>	Manual Citation	Manual Title	2000.1a	Order 1350.15C Records Organization, Transfer, and Destruction Standards	2010.1a		2010.1ba	
Manual Citation	Manual Title								
2000.1a	Order 1350.15C Records Organization, Transfer, and Destruction Standards								
2010.1a									
2010.1ba									

# WITHDRAWN - RETURNED WITHOUT ACTION

Transfer to the National Archives for Accessioning      Transfer to the National Archives 15 year(s) after close of file

**Additional Information**

What will be the date span of the initial transfer of records to the National Archives?      Unknown  
Unknown; records currently stored within the FRC system range in date from 1962 to 2010.

How frequently will your agency transfer these records to the National Archives?      Unknown  
Unknown

	Estimated Current Volume	Annual Accumulation
Electronic/Digital		
Paper	349 Cubic feet	
Microform		
Hardcopy or Analog Special Media		

**Disposition Instruction**

If this item has multiple sections, indicate here records to which this section apply      Electronic Records

Cutoff Instruction      Cut off closed files annually.

Transfer to Inactive Storage      Electronic records should be transferred for pre-accessioning when 3 years old, with any related documentation and external finding aids, in accordance with standards applicable at the time.

Transfer Electronic Records to the National Archives for Pre-Accessioning      Transfer electronic records to the National Archives for pre-accessioning immediately after 3 years old

Transfer to the National Archives for Accessioning      Transfer to the National Archives 15 year(s) after close of file

**Additional Information**

What will be the date span of the initial transfer of records to the National Archives?      Unknown  
Unknown.

# WITHDRAWN - RETURNED WITHOUT ACTION

1.2	How frequently will your agency transfer these records to the National Archives?  All other legal opinion and legal interpretation files. Disposition Authority Number Final Disposition Item Status Is this item media neutral? Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Unknown Unknown.  DAA-0237-2014-0002-0002 Temporary Withdrawn Yes No						
		<table border="1"><thead><tr><th>Manual Citation</th><th>Manual Title</th></tr></thead><tbody><tr><td>2210</td><td>Order 1350.15C Records Organization, Transfer, and Destruction Standards</td></tr><tr><td>2000.1b</td><td></td></tr></tbody></table>	Manual Citation	Manual Title	2210	Order 1350.15C Records Organization, Transfer, and Destruction Standards	2000.1b	
Manual Citation	Manual Title							
2210	Order 1350.15C Records Organization, Transfer, and Destruction Standards							
2000.1b								
2	GRS or Superseded Authority Citation  Disposition Instruction Cutoff Instruction Retention Period  Additional Information GAO Approval	NC1-237-77-3/81b NC1-237-77-3/88  Cut off closed files annually. Destroy 5 year(s) after close of file  Not Required						
2.1	Administrative Hearings or Appeals and Federal Court Litigation. This sub-function deals with legal case files administrative hearings for all legal subject matters and administrative forums and federal court litigation, unless otherwise specified. Case files consist of correspondence, pleadings, depositions, transcripts, violation reports, technical analysis, evidentiary material, sanction documents and other related materials pertaining to the legal action. Among the actions included are legal condemnation cases, contract appeals, actions arising out of aviation tort and contract claims, other claims by or against the Government resulting from FAA transactions, airport and environmental matters, employment law matters, and legal enforcement actions.  Administrative Hearing or Appeal Case Files identified by the AGC as having Significant and/or Precedent Setting value.							

# WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

Disposition Authority Number DAA-0237-2014-0002-0003

Precedent setting cases typically involve a significant application and/or interpretation of FAA statutes, authorities or regulations, and/or reflect significant events, incidents, or circumstances. Agency General Counsel (AGC) identifies those cases which have significant and/or precedent setting value for the agency.

Final Disposition Permanent

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

Manual Citation	Manual Title
2240.1a	Order 1350.15C Records Organization, Transfer, and Destruction Standards

GRS or Superseded Authority Citation NC1-237-77-3/89a

## Disposition Instruction

If this item has multiple sections, indicate here records to which this section apply Non-electronic Textual Records

Cutoff Instruction Cut off closed files annually.

Transfer to Inactive Storage Transfer to FRC 3 years after close of case.

Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after close of file

## Additional Information

What will be the date span of the initial transfer of records to the National Archives? Unknown  
Unknown; records currently stored within the FRC system range in date from 1988 to 2006.

How frequently will your agency transfer these records to the National Archives? Unknown  
Unknown

Disposition Instruction

# WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

If this item has multiple sections, indicate here records to which this section apply **Electronic Records**

Cutoff Instruction **Cut off closed files annually.**

Transfer to Inactive Storage **Electronic records should be transferred for pre-accessioning when 3 years old, with any related documentation and external finding aids, in accordance with standards applicable at the time.**

Transfer Electronic Records to the National Archives for Pre-Accessioning **Transfer electronic records to the National Archives for pre-accessioning immediately after 3 years old**

Transfer to the National Archives for Accessioning **Transfer to the National Archives 15 year(s) after close of file**

### Additional Information

What will be the date span of the initial transfer of records to the National Archives? **Unknown**  
**Unknown**

How frequently will your agency transfer these records to the National Archives? **Unknown**  
**Unknown**

2.2

**Administrative Hearing or Appeal Case Files not identified as precedential.**

Disposition Authority Number **DAA-0237-2014-0002-0004**

Final Disposition **Temporary**

Item Status **Withdrawn**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

Manual Citation	Manual Title
2250.1a	Order 1350.15C Records Organization, Transfer, and Destruction Standards
2240.1b	
2250.1b	
2230	



# WITHDRAWN - RETURNED WITHOUT ACTION

2.3	GRS or Superseded Authority Citation	NN-163-163/16 NN-163-163/14 NC1-237-77-3/89b
	Disposition Instruction	
	Cutoff Instruction	Cut off closed files annually.
	Transfer to Inactive Storage	Transfer to FRC one year after close of case.
	Retention Period	Destroy 10 year(s) after close of case.
	Additional Information	
	GAO Approval	Not Required
	Federal Court Litigation Case Files identified by AGC as having Significant and/or Precedent Setting value.	
	Disposition Authority Number	DAA-0237-2014-0002-0005
	Precedential cases typically involve a significant application and/or interpretation of FAA statutes, authorities or regulations, and/or reflect significant events, incidents, or circumstances. Agency General Counsel (AGC) identifies those cases which have significant and/or precedent setting value for the agency.	
	Final Disposition	Permanent
	Item Status	Withdrawn
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	If this item has multiple sections, indicate here records to which this section apply	Non-electronic Textual Records
	Cutoff Instruction	Cut off closed files annually.
	Transfer to Inactive Storage	Transfer to FRC when 4 years old.
	Transfer Electronic Records to the National Archives for Pre-Accessioning	Transfer electronic records to the National Archives for pre-accessioning 3 year(s) after cut off
	Transfer to the National Archives for Accessioning	Transfer to the National Archives immediately after 15 years
Additional Information		

WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Request for Records Disposition Authority

Records Schedule: DAA-0237-2014-0002

What will be the date span of the initial transfer of records to the National Archives? Unknown  
Unknown

How frequently will your agency transfer these records to the National Archives? Unknown  
Unknown

## Disposition Instruction

If this item has multiple sections, indicate here records to which this section apply Electronic Records

Cutoff Instruction Cut off closed files annually.

Transfer to Inactive Storage Electronic records should be transferred for pre-accessioning when 3 years old, with any related documentation and external finding aids, in accordance with standards applicable at the time.

Transfer Electronic Records to the National Archives for Pre-Accessioning Transfer electronic records to the National Archives for pre-accessioning immediately after 3 years old

Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after close of file

## Additional Information

What will be the date span of the initial transfer of records to the National Archives? Unknown  
Unknown

How frequently will your agency transfer these records to the National Archives? Unknown  
Unknown

2.4

Federal Court Litigation Case Files not identified as precedential.

Disposition Authority Number DAA-0237-2014-0002-0006

Final Disposition Temporary

Item Status Withdrawn

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

# WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

Manual Citation	Manual Title
2300	Order 1350.15C Records Organization, Transfer, and Destruction Standards

GRS or Superseded Authority Citation      N1-237-91-2

### Disposition Instruction

Transfer to Inactive Storage      Transfer to FRC 3 years after close of case.

Retention Period      Destroy 10 year(s) after close of case.

### Additional Information

GAO Approval      Not Required

### Working and Supporting Files.

#### Attorney Working Files

Disposition Authority Number      DAA-0237-2014-0002-0007

Attorney working files, including working drafts, notes, reference materials, copies of court data, and related materials.

Final Disposition      Temporary

Item Status      Withdrawn

Is this item media neutral?      Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?      No

Manual Citation	Manual Title
2000.2	Order 1350.15C Records Organization, Transfer, and Destruction Standards
2010.1bb	
2010.1c	
2130	

GRS or Superseded Authority Citation      NN-163-163/3  
NC1-237-77-3/82b2  
NC1-237-77-3/82b3  
NC1-237-77-3/85

### Disposition Instruction

3

3.1

# WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

3.2

Cutoff Instruction	Cut off closed files annually.
Retention Period	Destroy 3 year(s) after close of file.
Additional Information	
GAO Approval	Not Required
Supporting Files and Reference Materials.	
Disposition Authority Number	DAA-0237-2014-0002-0008
Includes copies of records provided by the LOBs to the Office of the Chief Counsel for the purpose of supporting legal activities. This item applies to documents supporting litigation or opinions and interpretations.	
Final Disposition	Temporary
Item Status	Withdrawn
Is this item media neutral?	Yes
Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
Disposition Instruction	
Cutoff Instruction	Cut off closed files annually.
Retention Period	Destroy when no longer needed
Additional Information	
GAO Approval	Not Required

# WITHDRAWN - RETURNED WITHOUT ACTION

# WITHDRAWN - RETURNED WITHOUT ACTION

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
Request for Records Disposition Authority

Records Schedule DAA-0237-2014-0002

## 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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

## Signatory Information

Date	Action	By	Title	Organization
01/27/2014	Certify	Jonathan Jones	Records Manager	Chief Information officer - IT Enterprise Business Services Div
11/04/2014	Return for Revision	Barbara Byers	Appraiser	National Archives and Records Administration - Records Management Services
05/19/2016	Return Without Action	Barbara Byers	Appraiser	National Archives and Records Administration - Records Management Services

# WITHDRAWN - RETURNED WITHOUT ACTION