

REQUEST FOR RECORDS DISPOSITION AUTHORITY

(See Instructions on reverse)

FORM 115 (NARA USE ONLY)

JOB NUMBER
NI-237-92-4

DATE RECEIVED
9-11-92

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE
AUG 10 1995

ARCHIVIST OF THE UNITED STATES
John W. Carl

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

1. FROM (Agency or establishment)
DOT/FEDERAL AVIATION ADMINISTRATION

2. MAJOR SUBDIVISION OFFICE OF CHIEF COUNSEL, AGC
MIKE MONRONEY AERONAUTICAL CENTER, AAC

3. MINOR SUBDIVISION
HQ/REG/CTR

4. NAME OF PERSON WITH WHOM TO CONFER
KATHLEEN YODICE, AGC-310

5. TELEPHONE
202-267-9956

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 3 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: **9/25/92**

SIGNATURE OF AGENCY REPRESENTATIVE: *Rita Ann Westerfeld*
RITA ANN WESTERFELD

TITLE: AGENCY RECORDS OFFICER, AIT-300
202-267-9894

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
2150	ENFORCEMENT RECORDS	NCI-237-78-5	
1.	<p>Legal Enforcement Case Files. Case files relating to legal actions taken with respect to alleged violations of Federal Aviation Regulations, consisting of violations reports, technical analysis, evidentiary materials, sanction documents, and related correspondence forwarded to and processed by the offices of the Assistant Chief Counsel for headquarters, regions, and centers. Transfer to the Federal Records Center (FRC) 2 years after the case is closed in the Enforcement Information Subsystem (EIS). (Refer to paragraph 2150/4 in this order.) FRC destroy 5 years after the case is closed in the EIS. Exceptions are indicated below:</p> <p>1.a. Case files resulting in "no action". Destroy 30 days after (or no more than 90 days after) the case is closed in the EIS. (Refer to paragraph 2150/4e of this order.)</p> <p>1.b. Case files resulting in indefinite suspension of an airman certificate pending successful completion of reexamination or proof of qualification. Destroy 1 month after the date of successful completion of reexamination or proof of qualifications.</p> <p>All changes approved per Rita Ann Westerfeld of FAA, Dean Palmer NARA 3/7/95</p>		

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*Copies sent to agency, NNE, NNT, NSX, NIA 8/23/95
NIF 12/5/95*

REQUEST FOR RECORDS DISPOSITION AUTHORITY - - CONTINUATION
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ITEM NO.	DESCRIPTION OF ITEM AND PROPOSED DISPOSITION
2150	<u>ENFORCEMENT RECORDS</u>
1	<u>Legal Enforcement Case Files.</u> Case files relating to legal actions taken with respect to alleged violations of Federal Aviation Regulations, consisting of violations reports, technical analysis, evidentiary materials, sanction documents, and related correspondence forwarded to and processed by the offices of the Assistant Chief Counsel for headquarters, regions, and centers. Transfer to the Federal Records Center (FRC) 2 years after the case is closed in the Enforcement Information Subsystem (EIS). (Refer to paragraph 2150/4 in this order.) FRC destroy 5 years after the case is closed in the EIS. Exceptions are indicated below:
1a	<u>Case Files resulting in "no action".</u> Destroy 30 days after (or no more than 90 days after) the case is closed in the EIS. (Refer to paragraph 2150/4a(5) of this order.)
1b	<u>Case files resulting in indefinite suspension of an airman certificate pending successful completion of reexamination or proof of qualification.</u> Destroy 1 month after the date of successful completion of reexamination or proof of qualifications.

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARS USE ONLY)
	<p>4. Enforcement Information Subsystem (EIS). An automated data base system that contains information concerning FAA enforcement actions against individuals and organizations. Destroy when no longer needed for reference. Exceptions indicated below:</p> <p>4.a. For closed cases involving Other Than Individuals. Destroy identifying information, when no longer needed for reference.</p> <p>4.b. For closed cases involving Revocation Of Airmen Certificates. Destroy information which identifies the individual, when no longer needed for reference.</p> <p>4.c. For closed cases involving suspension of airmen certificates (except when subsequent enforcement actions have been opened against the individual, see paragraph 4.i. below). Destroy information which identifies the individual, 5 years after the date the airman surrenders his/her airman certificate, or the date the airman submits an affidavit of certificate loss, or date of the Order of Suspension with Waiver of Sanction.</p> <p>4.d. For closed cases involving civil penalties against individuals (except when subsequent enforcement actions have been opened against the individual, see paragraph 4.i. below). Destroy information which identifies the individual, 5 years after the date the civil penalty has been paid, date of the Order Assessing Civil Penalty with Waiver of Sanction, date of the civil penalty letter which provides for a waiver of sanction, or date a promissory note for payment of the civil penalty has been provided to the FAA.</p> <p>4.e. For cases resulting in "no action". Destroy information which identifies the individual, 30 days after (or no more than 90 days after) the case is closed in the EIS.</p> <p>4.f. For closed cases involving indefinite suspension of an airman certificate pending successful completion of a reexamination or proof of qualification. Destroy information which identifies the individual, 30 days after (or no more than 90 days after) the date of successful completion of reexamination or proof of qualifications.</p> <p>4.g. For cases resulting in administrative enforcement action. Destroy information which identifies the individual, 2 years after the case is closed in the EIS.</p>	<p>See pages 2A - 2B-2C</p>	

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ITEM NO.	DESCRIPTION OF ITEM AND PROPOSED DISPOSITION
4	<u>Enforcement Information Subsystem (EIS)</u> . An automated data base system that contains information concerning FAA enforcement actions against individuals and organizations.
4a	<p><u>EIS Master Files</u>. Contains information concerning open and closed FAA enforcement actions against individuals and organizations. Data was first collected in 1962, however the file consists of only the current year of data and the previous 5 years of data, plus all other open cases.</p> <p>INCLUSIVE DATES: 1988 and thereafter. ARRANGEMENT STATEMENT: File is arranged by report number. STATEMENT OF RESTRICTIONS: There are privacy act restrictions. CURRENT VOLUME: 2 cartridges ESTIMATE OF ANNUAL ACCUMULATION: 1 cartridge DISPOSITION: TEMPORARY. Delete closed cases when data have been entered into the Archives File (4b) and verified or when data are no longer needed for reference, whichever is later. See Archives Public Use File (4c) for data that will be available for research. Exceptions are indicated below:</p>
4a(1)	<u>For closed cases involving Other Than Individuals</u> . Destroy identifying information, when no longer needed for reference.
4a(2)	<u>For closed cases involving Revocation Of Airmen Certificates</u> . Destroy information which identifies the individual, when no longer needed for reference.
4a(3)	<u>For closed cases involving suspension of airmen certificates (except when subsequent enforcement actions have been opened against the individual, see paragraph 4a(9) below)</u> . Destroy information which identifies the individual, 5 years after the date the airman surrenders his/her airman certificate, or the date the airmen submits an affidavit of certificate loss, or date of the Order of Suspension with Waiver of Sanction.
4a(4)	<u>For closed cases involving civil penalties against individuals (except when subsequent enforcement actions have been opened against the individual, see paragraph 4a(9) below)</u> . Destroy information which identifies the individual 5 years after the date the civil penalty has been paid, date of the Order Assessing Civil Penalty with Waiver of Sanction, date of the civil penalty letter which provides for a waiver of sanction, or date a promissory note for payment of the civil penalty has been provided to the FAA.
4a(5)	<u>For cases resulting in "no action"</u> . Destroy information which identifies the individual, 30 days after (or no more than 90 days after) the case is closed in the EIS.
4a(6)	<u>For closed cases involving indefinite suspension of an airman certificate pending successful completion of a reexamination or proof of qualification</u> . Destroy information which identifies the individual, 30 days after (or no more than 90 days after) the date of successful completion of reexamination or proof of qualifications.
4a(7)	<u>For cases resulting in administrative enforcement action</u> . Destroy information which identifies the individual, 2 years after the case is closed in the EIS.

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ITEM NO.	DESCRIPTION OF ITEM AND PROPOSED DISPOSITION (CONT'D)
4a(8)	<u>For all other closed cases.</u> Destroy identifying information, when no longer needed for reference.
4a(9)	<u>In all cases, if at the time the identifying information is due to be destroyed, subsequent enforcement report has been opened, the identifying information in the first record will be destroyed in accordance with the following:</u>
4a(9)(a)	<u>If the subsequent enforcement action is resolved by administrative action or "no action"</u> then, at that time the identifying information in the first record will be destroyed.
4a(9)(b)	<u>If the subsequent enforcement action is resolved through civil penalty or certificate action,</u> the identifying information in the first record will be destroyed when and if the subsequent enforcement record is destroyed.
4b	<p><u>EIS Archives Files.</u> Contains information concerning closed FAA enforcement actions against individuals and organizations.</p> <p>INCLUSIVE DATES: 1962 and thereafter ARRANGEMENT STATEMENT: File is arranged by report number STATEMENT OF RESTRICTIONS: There are privacy act restrictions CURRENT VOLUME: 2 cartridges ESTIMATE OF ANNUAL ACCUMULATION: 1 cartridge DISPOSITION: TEMPORARY. Delete closed cases when data have been entered into the Archives Public Use File (4c) and verified or when data are no longer needed, whichever is later.</p>
4c	<p><u>EIS Archives Public Use File.</u> Contains information concerning closed FAA enforcement actions against individuals and organizations. This file will not include information that identifies individuals and select information intended for FAA internal use only. Some of the information that will be included in this file are the case report number, the FARs violated, and the final action.</p> <p>INCLUSIVE DATES: 1962 and thereafter ARRANGEMENT STATEMENT: File is arranged by report number STATEMENT OF RESTRICTIONS: There are no public access restrictions CURRENT VOLUME: 2 cartridges ESTIMATE OF ANNUAL ACCUMULATION: 1 cartridge DISPOSITION: PERMANENT. Cutoff annually. Transfer a copy to the National Archives 3 months after the cutoff.</p>

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ITEM NO.	DESCRIPTION OF ITEM AND PROPOSED DISPOSITION (CONT'D)
4d	<p><u>EIS Federal Aviation Regulations (FAR) File.</u> This is a subsidiary file to the EIS Master File and it covers FARs violation. This file contains the following information: report number (year, region, office, and sequence number), record (type and sequence number), FAR code, and sanction amount.</p> <p>INCLUSIVE DATES: 1962 and thereafter ARRANGEMENT STATEMENT. File is arranged by report number STATEMENT OF RESTRICTIONS: There are no access restrictions CURRENT VOLUME: 1 cartridge ESTIMATE OF ANNUAL ACCUMULATION: 1 cartridge DISPOSITION: PERMANENT. Cutoff annually. Transfer copy to the National Archives with EIS Archive Public Use File.</p>
4e	<p><u>EIS Documentation.</u> Regardless of medium, record layouts, coding sheets/code books, a copy of the blank input questionnaire or form from which the file data came, a statement of the editing procedures, technical description of the file, File Users Manuals, final reports, and background information that would be useful or necessary to a researcher using the file. {1962 and thereafter}.</p>
4e(1)	<p><u>Electronic Files Designated Permanent.</u></p> <p>STATEMENT OF RESTRICTIONS: There are no restrictions CURRENT VOLUME: Less than 1 cubic foot ESTIMATE OF ANNUAL ACCUMULATION: Less than 1 cubic foot DISPOSITION: PERMANENT. Transfer a copy of documentation with file to NARA. Transfer updates and changes annually with subsequent transfer of the file.</p>
4e(2)	<p><u>Electronic Files Designated Temporary.</u> Disposition: TEMPORARY. Destroy when no longer needed.</p>

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NAF USE ONLY)
	<p>4.h. <i>For all other closed cases.</i> Destroy identifying information, when no longer needed for reference.</p> <p>4.i. <i>In all cases, if at the time the identifying information is due to be destroyed, subsequent enforcement report has been opened, the identifying information in the first record will be destroyed in accordance with the following:</i></p> <p>4.i.(1) <i>If the subsequent enforcement action is resolved by administrative action or "no action" then, at that time the identifying information in the first record will be destroyed.</i></p> <p>4.i.(2) <i>If the subsequent enforcement action is resolved through civil penalty or certificate action, the identifying information in the first record will be destroyed when and if the subsequent enforcement record is destroyed.</i></p> <p>5. <i>Enforcement Records maintained on microform in the Airmen and Aircraft Registry.</i> Consistent with retention and destruction guidelines set out in paragraphs 2150/4b through 2150/4i above, destroy that portion of the microform indices which refer to microform copies of enforcement records prior to or incident to conversion to a medium other than microform.</p>	<p>See page 2B</p> <p>See page 3A</p>	

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ITEM NO.	DESCRIPTION OF ITEM AND PROPOSED DISPOSITION (CONT'D)
- 5	<u>Enforcement Records maintained on microform in the Airmen and Aircraft Registry.</u> Consistent with retention and destruction guidelines set out in paragraphs 2150/4a(2) through 2150/4a(9) above, destroy that portion of the microform indices, which refer to microform copies of enforcement records, prior to or incident to conversion to a medium other than microform.