

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER N1-406-08-4	
TO: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>6/5/08</i>	
1 FROM (Agency or establishment) U S. Department of Transportation (DOT)		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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 Federal Highway Administration (FHWA)			
3 MINOR SUBDIVISION Office of Civil Rights			
4 NAME OF PERSON WITH WHOM TO CONFER Lue J. Pickens	5 TELEPHONE NUMBER 202-366-0471	DATE <i>9-2-09</i>	ARCHIVIST OF THE UNITED STATES <i>Adrienne Thomas</i>
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 <u>7</u> page(s) are not needed now for the business for 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 <i>5/27/2008</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Victor S. Wagner</i>		TITLE Records Officer
7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	This schedule covers program records of the Office of Civil Rights (HCR) maintained in the Washington Headquarters Office of the Federal Highway Administration (FHWA). This schedule supersedes SF 115 job number NC1-406-80-4, approved by the Archivist of the U S on August 26, 1980 Administrative records of this Office are covered by the FHWA Records Disposition Schedule for Washington Headquarters Administrative Files and the General Records Schedules (GRS)		

1	<p>Administrative Files. Consist of correspondence, memoranda, and related materials of a general nature that are concerned with the overall functional responsibilities of the office.</p> <p>DISPOSITION: Cut off at end of fiscal year.</p> <p>a. <u>If paper:</u> Transfer to Federal Records Center (FRC) 2 years cutoff. Destroy 5 years after cutoff.</p> <p>b. <u>If electronic:</u> Delete 5 years after cutoff.</p>	NC1-406-80-4, items 1 and 14.	
2.	<p>Affirmative Action Plans. Files reflecting FHWA's (Headquarters and Divisions) good faith effort to eliminate past and present discrimination in all federally assisted programs, and to ensure future non-discriminatory practices</p> <p>DISPOSITION. Cut off at end of fiscal year. Destroy 3 years after cutoff.</p>	NC1-406-80-4, item 2.	
3	<p>Areawide Plans. Affirmative action plans and related record and report material approved by the Department of Labor to increase minority and female utilization in crafts of the construction industry in a specified geographical area pursuant to EO 11246, as amended and taking the form of either a "Hometown" or an "Imposed Plan". "Hometown Plans" are voluntary and "Imposed Plans" are mandatory. These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>).</p> <p>DISPOSITION: Place in closed case file when case is closed. Cut off closed case file at end of fiscal year.</p> <p>a. <u>If paper:</u> Transfer to FRC 6 years after cutoff Destroy 9 years after cutoff</p> <p>b. <u>If electronic:</u> Delete 9 years after cutoff.</p>	NC1-406-80-4, item 3.	
4.	<p>Budget Material. Budget submissions sent to FHWA budget office and correspondence on budget submissions. Budget estimates showing the amount of money requested for FHWA by the Department of Transportation (DOT) from Congress. These records may contain sensitive and/or personal identifiable</p>	NC1-406-80-4, item 4.	

	<p>information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>)</p> <p>DISPOSITION Cut off at end of fiscal year. Destroy 3 years after cutoff.</p>		
5	<p>Consolidated Compliance Reviews. Reviews and evaluations of all significant construction employment in a specific geographical area. These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>)</p> <p>DISPOSITION Place in closed case file after completion of review. Cut off closed case file at end of fiscal year Destroy 3 years after cutoff.</p>	NC1-406-80-4, item 5.	
6.	<p>Contract Compliance Reviews. Reviews made by Civil Rights officials to determine whether contractors are in compliance with Equal Employment Opportunity (EEO) contract procedures. Files consist of review scheduling, contractor notification, preliminary analysis, onsite verification and interviews, exit conferences, compliance determinations, and formal notifications. These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>).</p> <p>DISPOSITION. Place in closed case file after completion of review. Cut off closed case file at end of fiscal year.</p> <p>a. If paper Transfer to FRC 3 years after cutoff. Destroy 7 years after cutoff.</p> <p>b. If electronic Delete 7 years after cutoff.</p>	NC1-406-80-4, items 6 and 20; GRS 1, item 25d(1)	
7.	<p>Contract Compliance Reviews (Special Cases). Contract compliance reviews of sensitive nature of special interest, or procedure, in which contractors have been offered or have requested hearings regarding their noncompliance with Federal EEO regulations. These records may contain sensitive and/or personal identifiable information and require</p>	NC1-406-80-4, item 7; GRS 1, item 25d(1).	

	<p>controlled access and handling to safeguard against a breach of information (Privacy Act of 1974 and the Federal Information Security Management Act of 2002)</p> <p>DISPOSITION: Place in closed case file after completion of review. Cut off closed case file at end of fiscal year. Destroy 7 years after cutoff.</p>		
8.	<p>Coordinations. Proposed actions that the Office of Civil Rights has commented on and those that the office has requested comments on.</p> <p>DISPOSITION: Cut off at end of fiscal year. Destroy 3 years after cutoff.</p>	NC1-406-80-4, item 8.	
9.	<p>EEO Assurances. Correspondence documenting the States responses to a requirement by the Federal Highway Act of 1968 to develop effective programs to ensure the provisions for equal employment opportunity in the employment of federally assisted contractors.</p> <p>DISPOSITION: Cut off at end of fiscal year.</p> <p>a. <u>If paper:</u> Transfer to FRC 2 years after cutoff Destroy 5 years after cutoff</p> <p>b. <u>If electronic:</u> Delete 5 years after cutoff.</p>	NC1-406-80-4, item 9.	
10.	<p>EEO Compliance Reviews. Files documenting each State's total highway agency program, including the affirmative action plans for insuring compliance with Federal requirements both in State highway agency internal employment and in employment on Federal aid construction projects.</p> <p>DISPOSITION: Cut off at end of fiscal year</p> <p>a. <u>If paper</u> Transfer to FRC 2 years after cutoff. Destroy 7 years after cutoff.</p> <p>b. <u>If electronic:</u> Delete 7 years after cutoff.</p>	NC1-406-80-4, item 10; GRS 1, item 25d(1).	
11.	<p>EEO Internal Training Material. Files relate to programs designed to assist minorities and women in receiving training to increase their participation and upward mobility in the skill crafts on highway projects. They consist of correspondence, statistical data, and directives in support of the EEO programs.</p>	NC1-406-80-4, item 11.	

<p>a</p> <p>b</p> <p>12.</p> <p>13.</p> <p>a.</p> <p>b.</p>	<p>DISPOSITION: Cut off at end of fiscal year. <u>If paper</u>: Transfer to FRC 2 years after cutoff Destroy 8 years after cutoff.</p> <p><u>If electronic</u>: Delete 8 years after cutoff.</p> <p>External Complaints. Discrimination complaints filed with FHWA against contractors by employees of the contractor stating that an act or an action whether intentional or unintentional, through which a person in the U.S. solely because of race, color, religion, sex, or national origin, has been excluded from participation in, denied the benefits of, or has been otherwise subjected unequal treatment under any program or activity receiving financial assistance from FHWA under Title 2, United States Code (U.S C.) These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>)</p> <p>DISPOSITION Place in closed case file when case is closed. Cut off closed case file at end of fiscal year Destroy 3 years after cutoff.</p> <p>Internal Discrimination Complaints. Files consisting of acts or actions whether intentional or unintentional through which a person in the U.S., solely because of race, color, religion, sex, or national origin, has been excluded from participation in, denied the benefits of, or has been otherwise subjected to unequal treatment under any program or activity within FHWA. These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>)</p> <p>DISPOSITION Place in inactive file after resolution of case. Cut off inactive file at end of fiscal year.</p> <p><u>If paper</u>: Transfer to FRC 2 years after cutoff. Destroy 4 years after cutoff.</p> <p><u>If electronic</u>: Delete 4 years after cutoff.</p>	<p>NC1-406-80-4, item 12.</p> <p>NC1-406-80-4, item 13; GRS 1, item 25a.</p>	
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14.	<p>Disadvantaged Business Enterprise (DBE) Program Files. Files contain information on businesses that are at least 50 percent owned by minority members or in the case of publicly owned businesses at least 51 percent of the stock is owned by minority group members</p> <p>DISPOSITION: Cut off at end of fiscal year.</p> <p>a. <u>If paper</u> Transfer to FRC 3 years after cutoff. Destroy 9 years after cutoff</p> <p>b. <u>If electronic</u>: Delete 9 years after cutoff.</p>	NC1-406-80-4, item 16.	
15	<p>Reference Files. Contain copies of information used as ready reference in subjects of current or ongoing interest. These files may contain copies of publications, directives, pictures, correspondence and the like. Official file copies are not to be placed in these files nor are the files to be considered pending files where official file copies are kept on a tentative basis.</p> <p>DISPOSITION Destroy in agency when no longer needed.</p>	NC1-406-80-4, item 17.	
16.	<p>On-the-Job Training Supportive Services (OJT/SS) Files. Files relate to programs designed to support the funding of the external training program. Include special projects such as those whereby contractors train special minority groups (like Native Americans and Asian Americans) increase their participation in the highway programs. Also includes information on the Youth Opportunity Program (YOP), a program to promote employment opportunities for disadvantaged youths by FHWA, State highway agencies, contractors, subcontractors, consultants, and local governments</p> <p>DISPOSITION: Cut off at end of fiscal year.</p> <p>a. <u>If paper</u>: Transfer to FRC 2 years after cutoff. Destroy 5 years after cutoff.</p> <p>b. <u>If electronic</u>: Delete 5 years after cutoff</p>	NC1-406-80-4, items 18, 19, and 26.	

17.	<p>Show Cause Notices. Written notifications and related correspondence to contractors based on the determinations of the reviewer (or in appropriate cases by higher level authority) to be in noncompliance with the equal opportunity requirements. The notice informs the contractor of the specific basis for the determination and provides the opportunity, within 30 days from receipt, to present any explanation why sanctions should not be imposed.</p> <p>DISPOSITION: Maintain 30 days in separate file and then transfer to appropriate compliance review file for disposal according to item 6</p>	NC1-406-80-4, item 21.	
18.	<p>Title VI Assurances. State assurances and related material Title 49, CFR, Part 21, requires assurances from States that no person in the U.S. shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under a program or activity for which the recipient receives Federal assistance from DOT, including FHWA.</p> <p>DISPOSITION: Destroy in agency when superseded.</p>	NC1-406-80-4, item 22.	
19	<p>Title VI External Complaints. Complaints based on act (or action) whether intentional or unintentional, through which a person in the U.S solely because of race, color, religion, sex, or national origin, has been excluded from participation in, denied the benefits of, or has been otherwise subjected to unequal treatment under any program or activity for which the recipient receives Federal assistance from DOT, including FHWA, under Title 23, U.S C. These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>)</p> <p>DISPOSITION: Place in closed case file when case is closed Cut off closed case file at end of fiscal year. Destroy 3 years after cutoff.</p>	NC1-406-80-4, item 23.	
20.	<p>Title VI Reviews. Files indicating that a Title VI Recipient is either in compliance or noncompliance youth Title VI requirements can demonstrate that every good faith effort towards achieving this end has</p>	NC1-406-80-4, item 24.	

21.	<p>been made. These records may contain sensitive and/or personal identifiable information and require controlled access and handling to safeguard against a breach of information (<i>Privacy Act of 1974 and the Federal Information Security Management Act of 2002</i>)</p> <p>DISPOSITION: Place in closed case file after completion of review. Cut off closed case file at end of fiscal year</p> <p>a. <u>If paper</u>: Transfer to FRC 2 years after cutoff. Destroy 6 years after cutoff.</p> <p>b. <u>If electronic</u>: Delete 6 years after cutoff.</p> <p>Title VI Program Areas. Files for all FHWA program areas that reflect the technical implementation of Title VI in that particular area.</p> <p>DISPOSITION: Cut off at end of fiscal year.</p> <p>a. <u>If paper</u>: Transfer to FRC 3 years after cutoff. Destroy 10 years after cutoff.</p> <p>b. <u>If electronic</u>: Delete 10 years after cutoff</p>	NC1-406-80-4, item 25.	
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