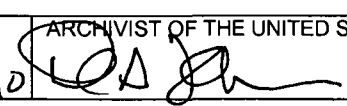


REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER N1-406-09- 21	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received 8/24/09	
1 FROM (Agency or establishment) U S Department of Transportation		NOTIFICATION TO AGENCY In accordance with the provisions 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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	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			
3 MINOR SUBDIVISION Federal-Aid Divisions (Field Offices) – Legal Services			
4. NAME OF PERSON WITH WHOM TO CONFER Victor S. Wagher	5 TELEPHONE NUMBER 202-366-6672	DATE 05/24/10	ARCHIVIST OF THE UNITED STATES 
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> 3 </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 August 7, 2009	SIGNATURE OF AGENCY REPRESENTATIVE <i>Victor S. Wagher</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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)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 Legal Services records of the Federal-Aid Divisions (field offices) of the Federal Highway Administration (FHWA). This schedule supersedes SF 115 job numbers NC1-406-85-3, approved by the Archivist of the U.S. on November 13, 1986. Items marked with an asterisk (*) 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</i> and the <i>Federal Information Security Management Act of 2002</i>).		

1.*	<p>Administrative Files. Correspondence and other documents related to contract claims, environmental cases, Buy America, litigation not otherwise classified, and Congressional bills, summaries and analyses.</p> <p>DISPOSITION: Cut off at end of fiscal year. Destroy in Agency 3 years after cutoff.</p>	NC1-406-85-3/1	
2.*	<p>Civil Rights Files. Correspondence, significant civil rights court decisions, background material, statistical data and other documents related to efforts to provide legal services with regard to the FHWA Civil Rights Program, Equal Opportunity Program, and Labor Compliance Program. This includes any material that pertains to cases that involve Title VI of the Civil Rights Act of 1964.</p> <p>DISPOSITION: Cut off at end of fiscal year. Transfer to the Federal records center (FRC) 3 years after cutoff. Destroy 6 years after cutoff.</p>	NC1-406-85-3/2	
3.	<p>Contract Files. Correspondence, and other information concerning contract claims necessary in providing legal services in the negotiations, drafting, execution, and administration of Federal or Federal-aid contracts; specific case files in direct Federal claims involving contracting officer findings and determinations and appeals to the DOT/CAB.</p> <p>DISPOSITION: Cut off at end of fiscal year. Transfer to FRC 3 years after cutoff. Destroy 6 years after cutoff.</p>	NC1-406-85-3/3	
4.*	<p>Suspension and Debarment Files. Consist of correspondence, memoranda, and other papers pertaining to the suspension or debarment of a contractor.</p> <p>DISPOSITION: Review files quarterly. Destroy in Agency when 3 years old.</p>	NC1-406-85-3/4	
5.	<p>Environmental Legal Files. Contains general correspondence, background material, and legal sufficiency reviews of drafts and final environmental impact statements, as well as legal opinions on NEPA, 4(f), and related laws and regulations.</p> <p>DISPOSITION: Cut off at end of fiscal year. Destroy 5 years after cutoff.</p>	NC1-406-85-3/5	

6.	<p>Legal Precedent Files. Opinions and decisions from Courts and Washington Office of interpretation of law as to Federal-aid highways necessary for ready reference by Division staff. Record copy maintained in Washington Headquarters.</p> <p>DISPOSITION: Destroy when no longer needed for business needs.</p>	NC1-406-85-3/7	
7.	<p>Legislation Files. General correspondence copies of legislation introduced in Congress or State Legislatures, copies of committee reports and enacted bills, copies or requests for interpretations and replies from Chief Counsel.</p> <p>DISPOSITION: Cut off at end of fiscal year. Destroy in Agency 3 years after cutoff.</p>	NC1-406-85-3/8	
8.	<p>Litigation Files. Contains pending active cases and memoranda pertaining to court cases, trials, etc. Files also contain correspondence, court papers, background material, official file copies and other general documents.</p> <p>DISPOSITION: Place in closed case file after final disposition of case. Cut off closed case file at end of fiscal year. Transfer to FRC 3 years after cutoff. Destroy 10 years after cutoff.</p>	NC1-406-85-3/9	
9.	<p>Tort Files. Consist of correspondence, letters, memoranda, and supporting documents related to tort claims which are processed under the Federal Tort Claims Act.</p> <p>DISPOSITION: Place in closed case file when case is closed. Cut off closed case file at end of fiscal year. Destroy in Agency 3 years after cutoff.</p>	NC1-406-85-3/12	