

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER	101-047-96-3
1 FROM (Agency or establishment) Social Security Administration		DATE RECEIVED	4-15-96
2 MAJOR SUBDIVISION Office of the General Counsel		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
4 NAME OF PERSON WITH WHOM TO CONFER	5 TELEPHONE	DATE	ARCHIVIST OF THE UNITED STATES
William A. White	(410) 965-2596	6-25-96	John W. Paul

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 ___ 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	SIGNATURE OF AGENCY REPRESENTATIVE	TITLE
4/4/96	Patricia J. Glover	SSA Records Officer

7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	<p><u>OFFICE OF THE GENERAL COUNSEL FILES</u></p> <p>(See attached)</p> <p>JUN 27 1996 copy to Agency, NWT, NCF MTV</p>		

OFFICE OF THE GENERAL COUNSEL FILES

1. LEGAL OPINION PRECEDENT FILES

Precedential legal opinions issued by the General Counsel for application to programs throughout SSA. Included are legal opinions, directly related memorandums, copies of laws, and related documents. Arranged by docket control numbers, and coded numbers.

Disposition: Permanent - Cutoff at the close of the FY and transfer to WNRC two years thereafter. Transfer to the National Archives ~~after cutoff~~. (NC1-235-80-1, 604-1) ✓
with related indexes 20 years after cut off.

2. LITIGATION CASE FILES

Records of Civil Court Actions filed against the Social Security Administration for benefits pursuant to Titles II, XVI and XVIII of the Social Security Act, and Overpayment recovery actions brought by SSA under Title XVIII of the Social Security Act. (NC1-235-77-1)

A. District Court Decisions/Circuit Court Decisions\
State Court Decisions

Summons, complaint, administrative records, motions, briefs, interlocutory orders, appeal recommendations, final court decisions, other pleadings and correspondence.

1. Office Responsible for Preparation

Disposition: Cutoff files 1 year after final court decision and transfer to WNRC. Destroy 10 years after cutoff. (NC1-235-77-1, I.A.1.)

2. Other Offices

Copies of litigation files - Destroy one year after final court decision is rendered. (NC1-235-77-1, I.A.2.)

B. Appellate Court Decisions

Summons, complaint, administrative records, motions, briefs, lower court orders, Court of Appeals proceedings, appellate briefs, final decision of Court of Appeals, other pleadings and correspondence. Materials in Supreme Court cases which do not provide a significant precedent.

Disposition:

1. Office Responsible for Preparation

Cutoff files 1 year after final appellate decision. Retire to WNRC. Destroy 15 years after cutoff. (NC1-235-77-1, I.B.1)

2. Other Offices

Copies of litigation files - Destroy one year after final appellate court order. (NC1-235-77-1, I.B.2.)

3. Administrative Hearing Files

Case files accumulated through OGC to document hearings and appeals with SSA. Included in these files are letters of deferrals, hearings transcripts, legal briefs and affidavits, trail exhibits, initial decisions of the administrative law judge, appeals to the Commissioner, and related materials.

Disposition:

Destroy when no longer needed as Precedential bases for other administrative hearings or when 20 years old, whichever is sooner. (NC1-235-81-1, 601-03)

4. Draft Legislation Files

Case files on the development of SSA legislation presented or intended for presentation to Congress. Included are internal memorandums, documentation on the complete legislative history, SSA positions, enrolled bill reports, and related correspondence.

Disposition:

Cutoff file at end of the Congressional session (two years). Transfer to WNRC two years later. Destroy 25 years after cutoff of file. (NC1-235-80-1, 601-06)

5. Non Draft Legislation Files

Case files of bills on which SSA comment is requested by OMB. These files include draft bills from other Federal agencies and bills drafted in SSA for individual Congress persons as technical assistance.

Disposition:

Cutoff files at end of the Congressional session (two years). Transfer to WNRC two years later. Destroy 20 years after Cutoff of file. (NC1-235-80-1, 601-07)

6. Numbered Bill Files

Consist of correspondence, reports to Congress, and documentation on the legislative history of bills introduced in Congress, but not enacted.

Disposition:

Cutoff files at end of the Congressional session (two years). Transfer to WNRC two years later. Destroy 20 years after cutoff of file. (NC1-235-80-1, 601-08)

7. Public Law Files

Consists of correspondence, copy of the enacted bill, reports, and documentation on the legislation history of the bills that are enacted into law.

Disposition:

Cutoff files at the end of the Congressional session (two years). Transfer to WNRC two years later. Destroy 25 years after cutoff of file. (NC1-235-80-1, 601-09)

8. Testimonies and Statements

Testimonies and statements of SSA officials before Congressional committees. In many cases, the testimonies are published in Congressional reports. Files may relate to "oversight hearings" in which no specific bill is involved or to hearings on specific bills. (NC1-235-80-1, 601-10)

Disposition:

- A. If filed as a separated series. Destroy two years after the end of the Presidential term of office, or when no longer needed for administrative purposes, whichever is earlier.
- B. If filed in a correspondence or case file. Destroy in accordance with the disposition instructions of that file.
- C. Reference copies maintained for public affairs purposes. Destroy when no longer needed for administrative purposes.

9. Disability Claims Files

Consist of copies of documents accumulated at the regional level for several types of actions including overpayment, insurance benefits, supplemental security, and underpayment. Included also are copies of court instruments such as Complaint, Answer, Motions, Memorandum in Support of Motion, Brief, Report, and Recommendation of the U.S. Magistrate, Judgment, Transcript of Testimony, and similar items. Official file of these documents is maintained at SSA Central Office.

Disposition:

Cutoff at the close of the FY. Destroy two years after cutoff. (NC1-235-80-1, 601-15)

10. Congressional Correspondence Files

Correspondence files maintained for SSA liaison with Congress. Arranged by name of Representative or Senator. (NC1-235-80-1, 601-19)

Disposition:

- A. Review files after the end of a Presidential administration. Destroy files which are no longer needed. Transfer other files to the files for the new administration.
- B. Office responsible for control of replies. Destroy six months after reply, or when no longer needed for reference, whichever is earlier.