

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

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JOB NO. *N1-12292-1*

TO: **GENERAL SERVICES ADMINISTRATION**
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

DATE RECEIVED
10-30-91

1. FROM (Agency or establishment)
Federal Trade Commission

NOTIFICATION TO AGENCY

2. MAJOR SUBDIVISION
Bureau of Competition

In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.

3. MINOR SUBDIVISION
Premerger Notification Office

4. NAME OF PERSON WITH WHOM TO CONFER
Sandra B. Bolden

5. TELEPHONE EXT.
326-2406

DATE
9/15/92

ARCHIVIST OF THE UNITED STATES


6. CERTIFICATE OF AGENCY REPRESENTATIVE

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of _____ 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, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A. GAO concurrence: is attached; or is unnecessary.

B. DATE	C. SIGNATURE OF AGENCY REPRESENTATIVE	D. TITLE
<i>10/16/91</i>		<i>Director Information Services</i>

7. ITEM NO.	8. DESCRIPTION OF ITEM <i>(With Inclusive Dates or Retention Periods)</i>	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN <i>(NARS USE ONLY)</i>
	See attached schedule entitled PREMERGER NOTIFICATION (PMN) AND REPORT FILES.		

Copies sent to Agency, NN-W, NNT, NAK, NCF 4/21/92

PREMERGER NOTIFICATION (PMN) AND REPORT FILES

1.1 **Master File**

This series contains one set of the original PMN Antitrust Improvements Act Report Forms filed in numerical order by transaction number. (Record Copy) (NC1-122-80-1)

DISPOSITION: Keep in the PMN Office for three years and then transfer to the Washington National Records Center for four years. Destroy when seven years old.

1.2 **Master File - Violations**

This series contains one set of the original PMN Antitrust Improvements Act Report Forms, filed in numerical order by transaction number, involving filing violations for which no investigation was opened. (NC1-122-80-1) This series also contains correspondence relating to filing violations for which no investigation was opened.

DISPOSITION: Keep in the PMN Office for five years and then transfer to the Washington National Records Center for ten years. Destroy when fifteen years old.

1.3 **Traveling File**

This series contains the second set of original PMN Antitrust Improvements Act Report Forms, with company documents and copies of SEC and other financial reports, filed in numerical order by transaction number. (NC1-122-80-1)

DISPOSITION: Destroy when one year old.

1.4 **Summary Sheet File**

This series contains a summary of the transaction, with overlap and prior acquisition attachments, where appropriate, indicating subsequent changes in the transaction, including the granting of early termination, filed in numerical order by transaction number.

DISPOSITION: Destroy when fifteen years old.

1.5 **Internal PMN Office Memoranda File**

This series contains recommendations from the PMN staff to the PMN Assistant Director concerning a wide variety of PMN issues such as PMN violations, proposed rule changes, legal analyses, etc.

DISPOSITION: Destroy when ten years old.

- 1.6 **PMN Memoranda to the Bureau Director File**
This series contains a recommendation for early termination of the applicable waiting period for specific transactions, with the applicable summary sheet(s) attached, filed in chronological order.
DISPOSITION: Destroy when one year old.
- 1.7 **Informal Interpretation Report Form File**
This series contains a record of telephone requests for informal interpretations of the HSR Act and the implementing rules and the PMN Office's response thereto, filed in chronological order by the responding PMN Office lawyer or compliance specialist.
DISPOSITION: Destroy when five years old.
- 1.8 **Bounce Form File**
This series contains completed forms which indicate the reason(s) why a particular filing was determined to be deficient, filed in chronological order.
DISPOSITION: Destroy when one year old.
- 1.9 **Non-Reportable Transaction Form File**
This series contains completed forms which indicate the reason(s) why a particular filing was determined not to be required by the HSR Act or the rules.
DISPOSITION: Destroy when one year old.
- 1.10 **Fee Return Form File**
This series contains completed forms which provide the data needed to refund the fee that had been paid for a transaction deemed by the PMN Office to be non-reportable.
DISPOSITION: Destroy when five years old.
- 1.11 **Log Book File**
This series contains a hand-written record, arranged in chronological order, of each PMN Antitrust Improvements Act Report Form filed with the PMN Office, as well as any supplements thereto, and of other correspondence received by the PMN Office indicating the sender's name, the transaction number, where applicable, and the date of receipt by the PMN Office and, if required, by the Department of Justice.

DISPOSITION: Destroy when no longer needed.

1.12 **Filing Fee File**

This series contains a hand-written log, arranged in chronological order, of each transaction, indicating the transaction number, the acquiring person, the method of filing fee payment, and other information needed to track and assure the payment of the filing fee by each acquiring person. This series also includes copies of payment checks, wire transfer reports, and a desposit register form for the Budget and Finance Office.

DISPOSITION: Destroy when no longer needed.

2. **Exemption File**

This series contains application forms, financial data, transaction descriptions, summary sheets and copies of documents submitted to other government agencies filed with the PMN for transactions which are exempt from full HSR filing requirements under Sections (c)(6) and (c)(8) of the HSR Act, which are filed in numerical order by transaction number.

2.1 **Exemption File - Copies of Documents Submitted to Other Government Agencies**

DISPOSITION: Destroy when sixty days old.

2.2 **Exemption File - Application Forms, Financial Data and Transaction Descriptions.**

DISPOSITION: Destroy when one-hundred-eighty days old.

2.3 **Exemption File - Summary Sheets**

DISPOSITION: Destroy when five years old.

3.1 **Merger Screening Committee (MSC) Minutes File**

This series contains the minutes of MSC meetings, with the summary sheet package and staff recommendation memos attached, filed in chronological order.

DISPOSITION: Destroy minutes, and copies of memos for which the MSC has declined to open an investigation, when fifteen years old. (Memos for which the MSC has authorized the opening or closing of an investigation are included in the investigation files, which are covered by Item No. 11.4 in the NC1-122-79-01 schedule.)

DISPOSITION: Destroy summary sheet package immediately.

4. **Premerger Tracking System (PTS)**

PTS is an automated system used to track and produce reports, including summary sheets, for the PMN Office and other offices of the Commission.

4.1 **PTS Master Files and Security Back Up**

These series contain the data used to produce a summary sheet, analysis, and the PMN Office's recommendation for each transaction.

DISPOSITION: Transfer to magnetic tape when five years old. Destroy data on tapes when no longer needed.

4.2 **System Documentation, File Specifications, and User Guides**

DISPOSITION: Destroy one year after discontinuance or substantial modification of the PTS system.

5. **Correspondence**

5.1 **General Correspondence**

This series contains general PMN Office correspondence concerning the PMN Report Forms, such as early termination letters, notification of waiting period and non-reportable letters, filed in chronological order.

DISPOSITION: Destroy when one year old.

5.2 **Compliance Correspondence**

This series contains letter requests from the PMN Office to various companies and their responses concerning compliance with the PMN filing requirements, filed in chronological order.

DISPOSITION: Destroy when five years old.

5.3 **Requests for Informal Interpretations**

This series contains letter requests for informal interpretations of the HSR Act and the implementing rules. Notes indicating the PMN Office's response are included on the letter.

DISPOSITION: Destroy when fifteen years old.