

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO	<i>NCL-173-84-5</i>
DATE RECEIVED	<i>8-14-84</i>
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
<i>3-8-85</i> Date	<i>[Signature]</i> Archivist of the United States

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

1. FROM (AGENCY OR ESTABLISHMENT)
Federal Communications Commission

2. MAJOR SUBDIVISION
Office of General Counsel

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER
Debi Dunn

5. TEL EXT
634-1535

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 5 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

A Request for immediate disposal.

B Request for disposal after a specified period of time or request for permanent retention.

C. DATE	D. SIGNATURE OF AGENCY REPRESENTATIVE	E. TITLE	7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
<i>7/31/84</i>	<i>[Signature]</i>	Acting Chief, Information Resources Branch		RECORDS CONTROL SCHEDULE OFFICE OF GENERAL COUNSEL FUNCTIONS OF THE OFFICE: The Office of General Counsel advises and represents the Commission in matters of litigation; makes recommendations with respect to proposed legislation and coordinates the preparation of Commission views thereon for submission to Congress; participates in international conferences and in the implementation of international agreements; interprets the statutes, international agreements, and international regulations affecting the Commission; performs all legal functions with respect to experimental operations, operations of restricted radiation devices, and type approvals and type acceptances of radio equipment; cooperates with the Common Carrier Bureau and the Office of Science and Technology on all matters pertaining to space satellite communications; studies the licensing practices of patentees and assignees in communications services regulated by the Commission; interprets executive orders affecting the Commission's national defense responsibilities; performs all legal functions with respect to leases, contracts and tort claims; advises the Commission in the preparation and revision of rules and the implementation and administration of		<i>4 items</i>

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	the Freedom of Information, Privacy and Sunshine Acts. <u>LEGAL COUNSEL DIVISION</u>		
1.	<u>Subject Files.</u> These files are broken down into subject categories and consist mainly of general correspondence, interpretations and other materials on various topics and sub-topics that relate to programs and functions and not to specific cases. Used solely for reference and research purposes. Such files would include: Sunshine Act, Privacy Act, Tort and Military Personnel and Civilian Employees' Claim Act, conflict of interest, communications interceptor files, contract files, etc. Purge files annually and <u>destroy</u> all unneeded materials more than three (3) years old.	NC1-173-79-2, Items 3, 4, 5, 6, 8, 10, 11, 12, 14, 17 & 19 dtd. 2-20-81	
2.	<u>Rulemaking Files.</u> These files are broken down by year and consist of notices or petitions proposing changes in the Commission's rules and policies. The files contain routine correspondence, letters and memoranda pertaining to the rulemaking case involved. <u>Destroy</u> when five (5) years old.	New Item	
3.	<u>EEO Discrimination Complaint Files/Grievance, Disciplinary and Adverse Action Files.</u> Mainly consists of extra copies of documents such as exhibits, pleadings, minutes, statement of witnesses, reports of interviews and hearings, decisions, letters and memoranda used in individual cases, that are in the official record EEO file maintained by the Director of EEO, Ofc. of Managing Director and in the official record grievance file maintained by the Labor Mgmt. and Employees Relations Branch, Ofc. of Managing Director. Some files may contain background materials which are not filed in the official case files. Arranged alphabetically by employee name. <u>Destroy</u> three (3) years after final resolution of case.	Disposition of one item covered by GRS 1, item 26c. The other is not covered by a GRS.	
4.	<u>Project/Case Files.</u> These files consist of detailed materials relating to a specific event, action, person, organization, etc. and contain correspondence, background materials and final papers relating to various phases of the project which are used solely for reference and research purposes. Usually a large issue with lots of files involved. Examples would be the patent licensing agreement for the direction finding invention used by FOB, the Studley case, real estate files, etc. <u>Destroy</u> entire file when no longer required for administrative purposes.	New Item	

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5.	<p><u>Employment Applications.</u> Attorney applications, transmitted through the FCC Personnel Office, to implement the Attorney Recruitment Program. All applications are filed alphabetically. If an offer of employment is not made within six months after the interview, the files are transferred to an inactive file, unless the applicant informs the office (approximately every 90 days) of continued interest of employment.</p> <p><u>Destroy</u> inactive file when one (1) year old.</p>	NCl-173-79-2, Item 15 dtd. 2-20-81	
6.	<p><u>Summer Employment Applications.</u> Applications from first and second year law students applying for summer employment transmitted through the FCC Personnel Office and are filed alphabetically.</p> <p><u>Destroy</u> when one (1) year old.</p>	NCl-173-79-2, Item 16 dtd. 2-20-81	
7.	<p><u>Fee Files.</u> Requests for fee announcements and waivers. All files have been destroyed per OGC.</p> <p><u>Delete.</u></p>	NCl-173-79-2, Item 7 dtd. 2-20-81	
8.	<p><u>Lottery Files.</u> Inquiries from State Lottery Boards about the legality of advertising lotteries on the air. All files have been destroyed except for a few isolated cases which are still being decided upon by OGC.</p> <p><u>Destroy</u> immediately.</p>	NCl-173-79-2, Item 9 dtd. 2-20-81	
9.	<p><u>International and Treaty Matters.</u> Case files of general correspondence and background materials dealing with such categories as Australian maritime traffic accounts, international maritime search and rescue plans, international space law and international agreements. All files have been destroyed per OGC.</p> <p><u>Delete.</u></p>	NCl-173-79-2, Item 18 dtd. 2-20-81	
<u>OFFICE OF LEGISLATIVE AFFAIRS</u>			
10.	<p><u>Subject Files.</u> General correspondence and materials obtained when a Bill is introduced in a congressional session. Used for preparation of Commission views and to advise and make recommendations to the Commission.</p> <p><u>Destroy</u> when five (5) years old.</p>	NCl-173-79-2, Item 20 dtd. 2-20-81	

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11.	<p><u>Legislative History Files.</u> Documentation on matters initiated by Congressional letter and bill requesting the Commission's comments. The majority of these files include correspondence and reference materials associated with a specific bill and the chronological process which includes copies of the House and Senate Bills and Reports, Congressional Hearings and finally the Public Laws. These files are arranged by Congressional session, dating back to the 93rd Congress.</p> <p>The Congressional requests that are not significant to the Commission and therefore do not contain the correspondence relative to this legislative history process should be destroyed when four (4) years old. The remaining case files should be transferred to the Federal Records Center when ten (10) years old and destroyed when twenty (20) years old.</p>	NC1-173-79-2, Item 21 dtd. 2-20-81	
12.	<p><u>Legislative Referral Files.</u> Correspondence from other agencies requesting the Commission's comments on proposed legislation that affects or in some way refers to the FCC.</p> <p><u>Destroy</u> when three (3) years old.</p>	NC1-173-79-2, Item 22 dtd. 2-20-81	
13.	<p><u>Legislative Proposals.</u> Correspondence relating to information on legislation that the Commission would like to have enacted.</p> <p><u>Destroy</u> when five (5) years old.</p>	NC1-173-79-2, Item 23 dtd. 2-20-81	
14.	<p><u>General Reports.</u> Copies of Congressional reports, bills of general interest to the FCC and those hearings that the Chairman or the Commissioners attend.</p> <p><u>Destroy</u> when five (5) years old or when no longer needed, whichever is sooner.</p>	NC1-173-79-2, Item 24 dtd. 2-20-81	
15.	<p><u>Commission Hearing Files.</u> These files contain all materials associated with hearings the Commissioners have participated in. Included are announcement of hearings, statements, questions and answers after the hearing, etc. Approximately six months to a year after the hearing, all of this information is printed in a formal staff report from the hill and issued by GPO.</p> <p><u>Destroy</u> the background file material when ten (10) years old. <u>Destroy</u> the formal report when thirty (30) years old. These files should be kept on site for reference and research purposes.</p>	NC1-173-79-2, Item 25 dtd. 2-20-81	

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	<p><u>LITIGATION DIVISION</u></p> <p>16. <u>Case Files.</u> Notice of appeals, motions, court rulings, briefs, appendices, and other records concerning appellate proceedings, including action before the Supreme Court, in which the Commission is a party or possesses a public interest, or other litigation as assigned. These are filed alphabetically by appellate petitioner's name and may occupy from a single file folder to a five drawer filing cabinet for an individual case.</p> <p>After the cases have been decided or dismissed and reach the "inactive" mode, the precedent setting or important cases (decided upon by the division chief or higher) are reviewed to delete duplicative or unnecessary material and then forwarded to the Library for binding. The cases remain in the Library for reference/research purposes and may be destroyed when no longer needed for these purposes. The remainder of the cases are destroyed three (3) years after closure or when no longer needed, whichever is sooner.</p> <p>17. <u>Appellate and Supreme Court Briefs.</u> Three (3) copies are kept for research and reference purposes.</p> <p><u>Destroy</u> when five (5) years old or when no longer needed, whichever is sooner.</p> <p>18. <u>Circuit Court Proceedings.</u> These files (in 3 inch binder format) contain listings of closed case proceedings and are filed alphabetically. Maintained solely for research and reference purposes.</p> <p><u>Destroy</u> when five (5) years old or when no longer needed, whichever is sooner.</p> <hr/> <p>NOTE: Item 13, EEO Files, has been removed from the program files and will be listed under the section "Records Common to Most Offices" under GRS #1, 26a when the records control schedule for the Director of EEO is written.</p> <p>Also, items 1 and 2 of NC1-173-79-2 have been deleted and functions have been transferred to Office of Public Affairs.</p>	<p>NC1-173-79-2, Item 26 dtd. 2-20-81</p> <p>NC1-173-79-2, Item 27 dtd. 2-20-81</p> <p>NC1-173-79-2, Item 28 dtd. 2-20-81</p>	