

FEDERAL ENTITY CEASED OPERATIONS

Schedule Number: N1-220-01-001

Federal entities may cease operations when they are established as a temporary entity, are abolished, or functions are transferred to state or local government or private control.

Description:

The Judicial Review Commission on Foreign Asset Control, established by Public Law 106-120, had as its primary responsibility the assessment of the constitutionality of the Foreign Narcotics Kingpin Designation Act's ("Kingpin Act") preclusion of judicial review. The Commission issued its final report in January 2001.

Date Reported: 06/22/2020

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Attachment to **Request for Records Disposition Authority / SF 115**

Judicial Review Commission on Foreign Asset Control

The Judicial Review Commission on Foreign Asset Control was created by an act of Congress, Pub. Law 106-120, codified at 21 U.S.C. § 1908. The Commission's mandate was to conduct a review of the current judicial, regulatory, and administrative authorities relating to the blocking of assets of foreign persons by the United States Government, and to conduct a detailed examination and evaluation of the remedies available to U.S. citizens affected by the blocking of assets of foreign persons. In fulfilling its statutory mandate, the Judicial Review Commission held four (4) days of public hearings, as well as receiving written statements from interested persons. The Commission also met with officials from government agencies responsible for implementing asset-blocking programs. Based on its review, examination and evaluation, the Commission was directed to, and did in fact, submit a report to those Congressional committees specified in its enabling statute. By law, the Commission terminates on February 3, 2001. By law, the Commission's records are **not** subject to FOIA.

1. General Office Files

Records maintained in central files separated into subseries, including:

- **Administrative Files**

Files maintained for Commission-related matters, such as travel for witnesses and Commissioners' and staff time sheets. These records document the operation of the Commission.

- **Correspondence**

Record copy of incoming and outgoing letters and attachments, and memorandum related to the Commission's activities.

- **Hearings**

These records are the master files for the Commission's public hearings held in September and October, 2000, and include transcripts, witness files, briefing books, and other related materials. Witness files include information that is either in addition to, or different from that in the briefing books, as well as written statements and correspondence from witnesses. Also within this subcategory are interested party files for individuals / entities that were not witnesses, but responded to the public notice in the *Federal Register* inviting comments.

- **Office of Foreign Assets Control (OFAC) Files**

This file consists of material the Commission requested and received from OFAC. As a bureau in Treasury, OFAC is primarily responsible for implementing and tracking economic sanctions imposed by U.S. law. Records include copies of OFAC

licensing files, correspondence, policy papers, and statistical data.

- Report to Congress

One copy of the interim and final reports prepared by the Commission and submitted to Congress.

Disposition: Permanent. Transfer to the NARA upon termination of the Commission.

2. Commissioners' and Staff's Files

Files maintained in individual Commissioners' or staff attorneys' offices consisting of research files, background material for briefings, and draft sections of reports to Congress. Research material was gathered by attorneys and used to brief the Commissioners for hearings or to provide Commissioners with requested information, and contributed to the Commission's deliberations and its decisions as reflected in its public reports. This information was prepared solely for the Commission's use, was not shared outside of the Commission, and much of it is highly confidential.

Disposition: Permanent. Transfer to the NARA upon termination of the Commission.

3. Electronic Mail and Word Processing System Copies

Electronic copies of records that were created on electronic mail and word processing systems and used solely to generate a record-keeping copy of the records covered by the other items in this schedule. Also includes electronic copies of records created on electronic mail and word processing systems that are maintained for updating, revision, or dissemination.

- a. Copies that have no further administrative value after the record-keeping copy is made. Includes copies maintained by individuals in personal files, personal electronic mail directories, or other personal directories on hard disk or network drives, and copies on shared network drives that are used only to produce the record-keeping copy.

Disposition: Destroy/delete within 180 days after the record-keeping copy has been produced.

- b. Copies used for dissemination, revision, or updating that are maintained in addition to the record-keeping copy.

Disposition: Destroy/delete when dissemination, revision, or updating is completed.