

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

1. FROM (Agency or establishment)
Small Business Administration

2. MAJOR SUBDIVISION
Office of Administrative Services

3. MINOR SUBDIVISION
Administrative Information Branch

4. NAME OF PERSON WITH WHOM TO CONFER
Helga Taylor

5. TELEPHONE
(202) 205-7053

LEAVE BLANK (NARA use only)

JOB NUMBER
71-309-04-2

DATE RECEIVED
10-28-2003

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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE
6-24-04

ARCHIVIST OF THE UNITED STATES
John W. Carl

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 4 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: 10-24-2003

SIGNATURE OF AGENCY REPRESENTATIVE: *[Signature]*

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 GRS OR SUPERSEDED JOB CITATION	10.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)
	<p>The attached disposition schedule (Hearings & Appeals and Case Tracking System) is a new electronic application to be added SBA's present records management manual.</p>		

This form was electronically produced by Elite Federal Forms, Inc.

DRAFT 3/29/04

Appendix 25

Office of Hearings and Appeals
Records Group 45

The Office of Hearings and Appeals handles cases including Size Appeals (SIZ); North American Industry Classification System (formerly Standard Industrial Classification Code Appeals (NAICS/SIC/; 8(a) Business Development (formerly Minority Small Business) Eligibility, Early Graduation or Termination, and Suspension Appeals (BDP/MSB); Debt Collection Hearings (DBT); Development Company Appeals (DEV); Employee Dispute Resolution (formerly Grievance) Appeals; Small Disadvantaged Business Appeals (SDB); and Small Business Investment Company Appeals (SBIC).

This disposition covers administrative proceedings conducted by the Office of Hearings and Appeals (OHA) under the Small Business Act and material relating to complaints filed against the Agency under the Small Business Regulatory Enforcement Fairness Act (SBREFA). The material includes parties' filings and the orders and decisions issued by the Administrative Judges and Administrative Law Judges. Until transfer, files are physically located in Office of Hearings and Appeals, Suite 5900, 409 Third Street, S.W., Washington, DC 20416-0005, and (except for those records in item no. 45:01 published electronically on Westlaw, LEXIS, and (OHA'S home page) are not collected anywhere else.

Restrictions: Privacy Act (SBA Systems of Records No. SBA 060; and Debt decisions, SBA Systems of Records No. SBA 070).

Item No.	Description of Records	Disposition Instructions
45:01	Case Files in Administrative Proceedings: Includes parties' filings, exhibits, audio and video recordings, transcripts of oral hearings, originals of orders and copies of decisions issued by the Judge, and other materials relating to administrative proceedings.	Temporary. Cut off at end of fiscal year in which final decision was rendered.
	File topically, then alphabetically by name of party initiating proceedings at Office of Hearings and Appeals, except 8(a) Business Development program cases (filed by decision number). These include appeals such as Size and North American Industry Classification System (until October 2002, Standard Industrial Classification) cases, 8(a) Business Development (until October 1998, Minority Small Business) program cases, Small Disadvantaged Business cases, Debt Collection cases, Development Company cases, Small Business Investment Company. These do not	Headquarters transfer to FRC 2 years after cutoff. Destroy 10 years after cutoff.

Item No.	Description of Records	Disposition Instructions
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include employee dispute resolution (previously referred to as grievance) cases, which are filed under item number 30:01.

45:02	Small Business Regulatory Enforcement Fairness Act (SBREFA) Comments : Includes correspondence relating to comments. File alphabetically by name of business or, if anonymous, by date.	Temporary. Cut off at end of fiscal year. Headquarters transfer to FRC 2 years after cutoff. Destroy 10 years after cutoff.
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The maintenance and disposition of records pertaining to the administration of the Freedom of Information Act and the Privacy Act are outlined in General Records Schedule 14, which is included in this SOP as appendix 26.

System Name: Case Tracking System

Purpose: The purpose of this electronic application is to track appeals of or hearings regarding determinations or proposed actions of Agency program offices.

Item No.	Description of Records	Disposition Instructions
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45:03a	Input. Paper files of appeals or hearings regarding determinations or proposed actions of Agency program offices.	Temporary. See Item 45:01.
45:03b	Master File. The file contains the following information: litigant name, case description, date filed, date assigned, judge, agency, and agency contact information.	Temporary. Cutoff at end of fiscal year in which final decision was rendered. Delete 6 years after cutoff.
45:03c	Output. a. Various online reports available within the system, including time-sensitive reports. b. Interoffice weekly reports are printed, cop-	Temporary. a. Temporary. Delete when obsolete or superseded by subsequent online query.

ied, and distributed to office staff for status purposes.

b. Temporary. Cut off at end of fiscal year. Destroy hard copy report one year after cutoff.

45:03d Documentation.

Temporary. Delete when superseded or obsolete.

45:03e Backups.

Temporary. Delete after the primary records have been deleted, or when replaced by a subsequent backup file.

45:03f Electronic Mail and Word Processing Copies: Electronic copies of records created on electronic mail and word processing systems and used solely to generate a recordkeeping copy of records covered by other items in this schedule.

Temporary. Delete after the recordkeeping copy has been produced.