

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		LEAVE BLANK (NARA use only)	
TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER NI-465-95-4	DATE RECEIVED 2-1-95
1. FROM (Agency or establishment) Pension Benefit Guaranty Corporation (PBGC)		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION Office of General Counsel (OGC)		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
3. MINOR SUBDIVISION		DATE 8-11-92	ARCHIVIST OF THE UNITED STATES <i>John W. Carl</i>
4. NAME OF PERSON WITH WHOM TO CONFER Bruce I. Campbell	5. TELEPHONE (202) 326-4150		
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, <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE Dec 20, 1994	SIGNATURE OF AGENCY REPRESENTATIVE <i>Janet A. Smith</i>	TITLE Director, Facilities and Services Department - Records Management Officer	

7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	OFFICE OF THE GENERAL COUNSEL See Attached		

AUG 21 1997 *MAH*

*copy to Agency
NWD*

**Pension Benefit Guaranty Corporation
Office of General Counsel
N1-465-95-4**

1. Board of Directors' Files

Records of Board decisions related to program activities of the Corporation, including official minutes and resolutions since the Board's inception, working files of Board meetings, and copies of minutes, resolutions, Chairman's orders, and related materials.

- a. Original minutes and resolutions of the Board, including supporting documentation. (revision of NC1-465-81-1, 40a and 40b)

PERMANENT: Cut off at the end of the calendar year. Retire to offsite storage facility 10 years after cutoff. Transfer to NARA in 5 year blocks, 25 years after cutoff.

- b. Working files and background papers. (revision of NC1-465-81-1, item 40c)

TEMPORARY. Cut off at end of calendar year. Destroy 15 years after cutoff.

2. Official Litigation and Pension Plan Files

All documents associated with any court proceeding to which the PBGC is a party or otherwise associated with the case, and all documents associated with any pension plan that is not the subject of a court proceeding.

- a. Selected files and documents containing precedential or landmark material. (revision of NC1-465-81-1, item 43a)

PERMANENT. Transfer to an offsite storage facility 2 years after case is closed. Transfer to NARA 20 years after case is closed.

- b. Non-precedential cases and pension plan files. (revision of NC1-465-81-1, item 43b)

TEMPORARY. Transfer to an offsite storage facility 2 years after case is closed. Destroy 15 years after case is closed.

- c. Working copies (non-record). (revision of NC1-465-81-1, item 43c)

TEMPORARY. Transfer copies to an offsite storage facility 6 months after case is closed. Destroy 15 years after case is closed.

3. Master History Index

Index cards arranged alphabetically by name of pension plan or opposing party containing a history of all activity, other than litigation, that has transpired within the OGC.
(revision of NC1-465-81-1, item 44)

TEMPORARY. Cut off at end of the calendar year. Destroy 20 years after cutoff.

4. Litigation Docket Sheets

Official agency record of litigation proceedings. (New item)

TEMPORARY. Cut off at end of the calendar year. Destroy 20 years after cutoff.

5. Regulations files

Materials documenting the preparation, review, and clearance of rules, regulations, and amendments thereto promulgated pursuant to statutory requirements of PBGC. Issued to establish corporate policy and influence Federal pension insurance policy. Includes proposed final briefs, drafts, comments on proposed regulations, summaries of responses, and a copy of published rules and regulations.

WITHDRAWN.

6. Agreements and Financial Instruments

- a. Copy of signed financial instruments, including promissory notes, financial assistance agreements, stocks, bonds, and related records. (revision of NC1-465-81-1, item 46)

TEMPORARY. Destroy 10 years after close of file.

- b. Signed originals of trustee agreements, extensions of statutes of limitation, and settlements agreements other than those involving financial instruments.
(revision of NC1-465-81-1, item 46)

TEMPORARY. Destroy 10 years after close of file.

7. Legal Opinion Files

Includes PBGC *Opinion Manual* (published sanitized opinion letters on the provisions of the Employment Retirement Insurance Security Act of 1974 (ERISA) issued to employers, pension plan administrators, attorneys, etc.), interpretative memoranda issued within OGC for the guidance of staff, and memoranda and correspondence developed on other legal issues.

- a. Record copy of PBGC opinion letters. (revision of NC1-465-81-1, item 47a)

PERMANENT. Cut off at end of each calendar year. Retire to an offsite storage facility 10 years after cutoff. Transfer to NARA in 5 year blocks 25 years after cutoff.

b. General legal advice memorandums. (New item)

1. Selected documents that produce a significant effect on the operations of the PBGC.

PERMANENT. Cut off at the end of the calendar year. Retire to an offsite storage facility. Transfer to NARA in 5 year blocks 25 years after cutoff.

2. Remaining legal advice memorandums.

TEMPORARY. Cut off at end of calendar year. Retire to offsite storage facility 10 years after cutoff. Destroy 20 years after cutoff.

c. Working papers, including analyses, notes, and drafts. (NC1-465-81-1, item 47d, no change)

TEMPORARY. Destroy 6 months after opinion or memorandum is issued.

8. Legislative Files

Correspondence, committee reports, and related documents on the preparation and/or review of legislation proposed by or in the interest of the PBGC. (revision to NC1-465-81-1, items 48a and 48b).

PERMANENT. Retire to an offsite storage facility 2 years after a proposal is enacted into law or rejected. Transfer to NARA in 5 year blocks when 20 years old.

9. Attorney Time Records (new item)

Weekly records reflecting time spend on assignments.

TEMPORARY. Cut off at the end of each calendar year. Retire to an offsite storage facility 1 year after cutoff. Destroy 15 years after cutoff.

10. Employment Applications. (new item)

Applications for employment and related records, excluding records relating to appointments requiring Senatorial confirmation and applications resulting in appointments which are filed in the Official Personnel Folder.

TEMPORARY. Destroy upon receipt of OPM inspection report or when 2 years old, whichever is earlier.

11. Ethics Forms and Records (new item)

- a. Original confidential disclosure reports.

TEMPORARY. Cut off at the end of the calendar year. Destroy 6 years after cutoff.

b. Original public financial disclosure reports.

TEMPORARY. Cut off at the end of the calendar year. Destroy 6 years after cutoff.

c. Copies of Ethics Agreements (written instruments recusing an individual from one or more matters, certificates of divestiture, section 208(b) waivers, or certification of qualified blind or diversified trusts).

TEMPORARY. Destroy 6 years after execution of agreement.

d. Copies of documents developed by agency records officials in administering the ethics program (interpretive memorandums issued within PBGC for the guidance of agency employees, training materials, informal notes, and phone logs.

1. Interpretive memorandums.

TEMPORARY. Destroy when superseded, obsolete, or no longer needed for

2. Remaining records (training materials, informal notes, phone logs, and related records).

TEMPORARY. Cut off at end of calendar year. Destroy 6 years after cutoff.