

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		7E BLANK (NARA use only)	
TO NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER N1-517-09-1	
1 FROM (Agency or establishment) BROADCASTING BOARD OF GOVERNORS		DATE RECEIVED 11/10/08	
2 MAJOR SUBDIVISION OFFICE OF GENERAL COUNSEL		NOTIFICATION TO AGENCY	
3 MINOR SUBDIVISION		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
4 NAME OF PERSON WITH WHOM TO CONFER CATHY A BROWN	5 TELEPHONE (202) 203-4608	DATE 6/4/09	ARCHIVIST OF THE UNITED STATES <i>Adrienne Thomas</i>

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 10 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 3/20/09	SIGNATURE OF AGENCY REPRESENTATIVE <i>Cathy A. Brown</i>	TITLE RECORDS OFFICER
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7 ITEM NO	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
1			

OFFICE OF THE GENERAL COUNSEL

1. GENERAL LEGAL FILES -- All non litigation files containing material relating to GC's rendering of advice to the Agency.

a. Arranged by subject, correspondence, reports, memorandums, memorandums of conversation, international agreements, settlement agreements and other materials relating to policy and precedent setting matters.

DISPOSITION: PERMANENT. Transfer to WNCR when two years old except contract-related legal advice files that should be transferred to WNRC when six years old. Transfer to NARA in five year blocks when 15 years old.

VOLUME ON HAND: 20 cubic feet
ANNUAL ACCUMULATION:

b. All other matters (non-precedent setting).

DISPOSITION: Destroy 5 years following case closure.

2. LITIGATION FILES - All records relating to litigation, including tort claims, contract disputes, employment and labor cases, copyright cases, and Freedom of Information Act and Privacy Act complaints.

a. Precedent and policy setting cases as selected by the Office of General Counsel.

VOLUME ON HAND: 100 cubic feet
ANNUAL ACCUMULATION:

DISPOSITION: PERMANENT. Transfer to WNRC five years following case closure. Transfer to NARA in five year blocks when 15 years old.

b. All other cases (non-precedent setting).

DISPOSITION: Destroy five years following case closure.

~~3. INTERNATIONAL AGREEMENT NEGOTIATING FILES -- Arranged by subject -- text and background information on treaties and other international agreements of the United States which have not been concluded but are in the negotiating stage. Copies of proposed treaties, translations and transmittals, copies of texts of agreements, telegrams, memoranda and other official correspondence of background interests.~~

~~DISPOSITION: When treaty or agreement has been concluded, remove and place in agreement background file.~~

4. INTERNATIONAL AGREEMENT BACKGROUND FILES – Arranged by subject – text and background information on treaties and other international agreements of the United States (1978 – Present). Copies of treaties, translations and transmittals, copies of texts of agreements, telegrams, airgrams and dispatches; and memoranda and other official correspondence of background interest (final signed agreement is maintained by the Contracting Office).

DISPOSITION: PERMANENT. Retire to WNRC five years after termination of agreement. Transfer to the National Archives 15 years after termination of agreement.

VOLUME ON HAND: 24 cubic feet
ANNUAL ACCUMULATION:

- ~~5. FINANCIAL DISCLOSURE FILES – Financial disclosure reports submitted by individuals as required or authorized under the Ethics in Government Act of 1978 (Pub. L. 95-521), as amended, and related records, including records of late filing fee payments or requests for public reporting waivers of late filing fees and responses; comment sheets by report reviewers and filer responses; filing extension requests and determinations; and copies of applications for public release of financial disclosure report.~~

- ~~a. Executive Branch Personnel Public Financial Disclosure Reports (SF 278) and related records.~~

- ~~(1) SF 278 reports for individuals filing in accordance with Section 101(b) or (c) of the Act, and not subsequently confirmed by the U.S. Senate or elected.~~

~~DISPOSITION: Destroy 1 year after nominee or candidate ceases to be under consideration for the position; EXCEPT that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.~~

GRS 25, Item 2a(1)

- ~~b. Executive Branch Confidential Financial Disclosure Reports (OGE Form 450) and related records.~~

- ~~(1) OGE Form 450s for individuals not subsequently confirmed by the U.S. Senate.~~

~~DISPOSITION: Destroy 1 year after nominee ceases to be under consideration for the position; EXCEPT that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.~~

GRS 25, Item 2b(1)

- ~~(2) All other OGE Form 450s and OGE Optional Form 450-As.~~

~~DISPOSITION: Destroy when 6 years old; EXCEPT that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.~~

GRS 25, Item 2b(2)

~~e. Alternative or additional financial disclosure reports and related records.~~

~~(1) Reports for individuals not subsequently confirmed by the U.S. Senate.~~

~~DISPOSITION: Destroy 1 year after nominee ceases to be under consideration for the position; EXCEPT that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.~~

GRS 25, Item 2c(1)

~~(2) All other alternative or additional financial disclosure reports.~~

~~DISPOSITION: Destroy when 6 years old; EXCEPT that documents needed in an ongoing investigation will be retained until no longer needed in the investigation.~~

GRS 25, Item 2c(2)

~~6. FOIA REQUEST FILES Files created in response to requests for information under the FOIA, consisting of the original request, a copy of the reply thereto, and all related supporting files which may include the official file copy of requested record or copy thereof.~~

~~a. Correspondence and supporting documents (EXCLUDING the official file copy of the records requested if filed herein).~~

~~(1) Granting access to all the requested records.~~

~~DISPOSITION: Destroy 2 years after date of reply.~~

GRS 14, Item 11a(1)

~~(2) Responding to requests for nonexistent records; to requesters who provide inadequate descriptions; and to those who fail to pay agency reproduction fees.~~

~~(a) Request not appealed.~~

~~DISPOSITION: Destroy 2 years after date of reply.~~

GRS 14, Item 11a(2)(a)

~~(b) Request appealed.~~

~~DISPOSITION: Destroy as authorized under Item 12.~~

GRS 14, Item, 11a(2)(b)

~~(3) Denying access to all or part of the records requested.~~

~~(a) Request not appealed.~~

~~DISPOSITION: Destroy 6 years after date of reply.~~

GRS 14, Item, 11a(3)(a)

~~(b) Request appealed.~~

~~DISPOSITION: Destroy as authorized under Item 12.~~

GRS 14, Item, 11a(3)(b)

~~b. Official file copy of requested records.~~

~~DISPOSITION: Dispose of in accordance with approved agency disposition instructions for the related records or with the related FOIA request, whichever is later.~~

GRS 14, Item 11b

~~7. FOIA APPEALS FILES—Files created in responding to administrative appeals under the FOIA for release of information denied by the agency, consisting of the appellant's letter, a copy of the reply thereto, and related supporting documents, which may include the official file copy of records under appeal or copy thereof.~~

~~a. Correspondence and supporting documents (EXCLUDING the file copy of the records under appeal if filed herein).~~

~~DISPOSITION: Destroy 6 years after final determination by agency, 6 years after the time at which a requester could file suit, or 3 years after final adjudication by the courts, whichever is later.~~

GRS 14, Item 12a

~~b. Official file copy of records under appeal.~~

~~DISPOSITION: Dispose of in accordance with approved agency disposition instructions for the related record or with the related FOIA request, whichever is later.~~

GRS 14, Item 12b

~~8. FOIA CONTROL FILES—Files maintained for control purposes in responding to requests, including registers and similar records listing date, nature, and purpose of request and name and address of requester.~~

~~a. Registers or listing.~~

~~DISPOSITION: Destroy 6 years after date of last entry.~~

GRS 14, Item 13a

~~b. Other files.~~

~~DISPOSITION: Destroy 6 years after final action by the agency or after final adjudication by courts, whichever is later.~~

GRS 14, Item 13b

~~9. FOIA REPORT FILES—Recurring reports and one-time information requirements relating to the agency's implementation of the Freedom of Information Act, EXCLUDING annual reports to the Congress at the departmental or agency level.~~

~~DISPOSITION: Destroy when 2 years old.~~

GRS 14, Item 14

~~10. FOIA ADMINISTRATIVE FILES—Records relating to the general agency implementation of the FOIA, including notices, memoranda, routine correspondence, and related records.~~

~~DISPOSITION: Destroy when 2 years old.~~

GRS 14, Item 15

~~11. PRIVACY ACT REQUEST FILES—Files created in response to requests from individuals to gain access to their records or to any information in the records pertaining to them, as provided for under 5 U.S.C. 552a(d)(1). Files contain original request, copy of reply thereto, and all related supporting documents, which may include the official file copy of records requested or copy thereof.~~

~~a. Correspondence and supporting documents (EXCLUDING the official file copy of the records requested if filed herein).~~

~~—(1) Granting access to all the requested records.~~

~~DISPOSITION: Destroy 2 years after date of reply.~~

GRS 14, Item 21a(1)

~~(2) Responding to requests for nonexistent records; to requests that do not provide inadequate descriptions; and to those who fail to pay agency reproduction fees.~~

~~(a) Requests not appealed.~~

~~DISPOSITION: Destroy 2 years after date of reply.~~

GRS 14, Item 21a(2)(a)

~~—(b) Requests appealed.~~

~~DISPOSITION: Destroy as authorized under Item 22.~~

GRS 14, Item, 21a(2)(b)

~~(3) Denying access to all or part of the records requested.~~

~~—(a) Requests not appealed.~~

~~DISPOSITION: Destroy 5 years after date of reply.~~

GRS 14, Item, 21a(3)(a)

~~—(b) Requests appealed.~~

~~DISPOSITION: Destroy as authorized under Item 22.~~

GRS 14, Item, 21a(2)(b)

a. ~~Official file copy of requested records~~

~~DISPOSITION: Dispose of in accordance with approved agency disposition instructions for the related records or with the related Privacy Act request, whichever is later.~~

GRS 14, Item 21b

12. ~~PRIVACY ACT AMENDMENT CASE FILES—Files relating to an individual's request to amend a record pertaining to that individual as provided for under 5 U.S.C. 552a(d)(2); to the individual's request for a review of an agency's refusal of the individual's request to amend a record as provided for under 5 U.S.C. 552a(d)(3); and to any civil action brought by the individual against the refusing agency as provided under 5 U.S.C. 552a(g).~~

a. ~~Requests to amend agreed to by agency. Includes individual's requests to amend and/or review refusal to amend, copies of agency's replies thereto, and related materials.~~

~~DISPOSITION: Dispose of in accordance with the approved disposition instructions for the related subject individual's record or 4 years after agency's agreement to amend, whichever is later.~~

GRS 14 Item 22a

b. ~~Requests to amend refused by agency. Includes individual's requests to amend and to review refusal to amend, copies of agency's replies thereto, statement of disagreement, agency justification for refusal to amend a record, and related materials.~~

~~DISPOSITION: Dispose of in accordance with the approved disposition instructions for the related subject individual's record, 4 years after final determination by agency, or 3 years after final adjudication by courts, whichever is later.~~

GRS 14 Item 22b

c. ~~Appealed requests to amend. Includes all files created in responding to appeals under the Privacy Act for refusal by any agency to amend a record.~~

~~DISPOSITION: Dispose of in accordance with the approved disposition instructions for related subject individual's record or 3 years after final adjudication by courts, whichever is later.~~

GRS 14 Item 22c

13. ~~PRIVACY ACT ACCOUNTING OF DISCLOSURE FILES—Files maintained under the provisions of 5 U.S.C. 552a(e) for an accurate accounting of the date, nature, and purpose of each disclosure of a record to any person or to another agency, including forms for showing the subject individual's name, requester's name and address, purpose and date of disclosure, and proof of subject individual's consent when applicable.~~

~~DISPOSITION: Dispose of in accordance with the approved disposition instructions for the related subject individual's records or 5 years after the disclosure for which the accountability was made, whichever is later.~~

~~14. PRIVACY ACT CONTROL FILES—Files maintained for control purposes in responding to requests, including registers and similar records listing date, nature of request, and name and address of requester.~~

~~a. Registers or listings.~~

~~DISPOSITION: Destroy 5 years after date of last entry.~~

GRS 14, Item 24a

~~b. Other files.~~

~~DISPOSITION: Destroy 5 years after final action by the agency or final adjudication by courts, whichever is later.~~

GRS 14, Item 24b

~~15. PRIVACY ACT REPORT FILES—Recurring reports and one-time information requirement relating to agency implementation, including biennial reports to the Office of Management and Budget (OMB), and the Report on New Systems at all levels.~~

~~DISPOSITION: Destroy when 2 years old.~~

GRS 14, Item 25

~~16. PRIVACY ACT GENERAL ADMINISTRATIVE FILES—Records relating to the general agency implementation of the Privacy Act, including notices, memoranda, routine correspondence, and related records.~~

~~DISPOSITION: Destroy when 2 years old.~~

GRS 14, Item 26

~~17. MANDATORY REVIEW FOR DECLASSIFICATION REQUESTS FILES—Files created in response to requests for information under the mandatory review provisions of Executive Order 12356 consisting of the original request, a copy of the reply thereto, and all related supporting files, which may include the official file copy of requested records or a copy thereof.~~

~~a. Correspondence and supporting documents (EXCLUDING the official file copy of the records if filed herein, and sanitizing instructions, if applicable).~~

~~(1) Granting access to all the requested records.~~

~~DISPOSITION: Destroy 2 years after date of reply.~~

GRS 14, Item 31a(1)

~~(2) Responding to requests for nonexistent records; to requesters who provide inadequate descriptions; and to those who fail to pay agency reproduction fees.~~

~~—(a)— Request not appealed.~~

~~DISPOSITION: Destroy 2 years after date of reply.~~

GRS 14, Item 31a(2)(a)

~~(b)— Request appealed.~~

~~DISPOSITION: Destroy as authorized under Item 32.~~

GRS 14, Item 31a(2)(b)

~~(3)— Denying access to all or part of the records requested.~~

~~—(a)— Request not appealed.~~

~~DISPOSITION: Destroy 5 years after date of reply.~~

GRS 14, Item 31a(3)(a)

~~(b)— Request appealed.~~

~~—DISPOSITION: Destroy as authorized under Item 32.~~

GRS 14, Item 31a(3)(b)

~~b.— Official file copy of requested records.~~

~~DISPOSITION: Dispose of in accordance with approved disposition instructions for the related records or with the related mandatory review request, whichever is later.~~

GRS 14, Item 31b

~~c.— Sanitizing instructions.~~

~~DISPOSITION: Destroy when superseded or when requested documents are declassified or destroyed.~~

GRS 14, Item 31b

~~18. MANDATORY REVIEW FOR DECLASSIFICATION APPEALS FILES— Files created in responding to administrative appeals under the mandatory review provisions of Executive Order 12356 and its predecessors for release of information denied by the agency. Files consist of the appellant's letter, a copy of the reply thereto, and related supporting documents, which may include the official file copy of records under appeal or copy thereof.~~

~~a.— Correspondence and supporting documents (EXCLUDING the official file copy of the records under appeal if filed herein).~~

~~DISPOSITION: Destroy 4 years after final determination by agency.~~

GRS 14, Item 32a

~~b.— Official file copy of records under appeal.~~

~~DISPOSITION: Dispose of in accordance with approved agency disposition instructions for the related records, or with the related mandatory review request, whichever is later.~~

GRS 14, Item 32b

~~19. MANDATORY REVIEW FOR REVIEW FOR DECLASSIFICATION CONTROL FILES—Files maintained for control purposes in responding to requests, including registers and similar records listing date, nature, and purpose of request and name and address of requester.~~

~~a. Registers or listing.~~

~~DISPOSITION: Destroy 5 years after date.~~

GRS 14, Item 33a

~~b. Other files.~~

~~DISPOSITION: Destroy 5 years after final action by the agency.~~

GRS 14, Item 33b

~~20. MANDATORY REVIEW FOR DECLASSIFICATION REPORTS FILES—Review for Declassification Reports Files—Reports relating to agency implementation of the mandatory review provisions of the current Executive order on classified national security information, including annual reports submitted to the Information Security Oversight Office.~~

~~DISPOSITION: Destroy when 2 years old.~~

GRS 14, Item 34

~~21. MANDATORY REVIEW FOR DECLASSIFICATION ADMINISTRATIVE FILES—Records relating to the general agency implementation of the mandatory review provisions of the current Executive order on classified national security information, including notices, memoranda, correspondence, and related records.~~

~~DISPOSITION: Destroy when 2 years old.~~

GRS 14, Item 35

~~22. ERRONEOUS RELEASE FILES—Files relating to the inadvertent release of privileged information to unauthorized parties, containing information the disclosure of which would constitute an unwarranted invasion of personal privacy. Files contain requests for information, copies of replies thereto, and all related supporting documents, and may include the official copy of records requested or copies thereof.~~

~~a. Files that include the official file copy of the released records.~~

~~DISPOSITION: Follow the disposition instructions approved for the released official file copy or destroy 6 years after the erroneous release, whichever is later.~~

GRS 14, Item 36a

b. ~~Files that do not include the official file copy of the released records.~~

~~DISPOSITION: Destroy 6 years after the erroneous release.~~

GRS 14, Item 36a

23. ~~ELECTRONIC MAIL AND WORD PROCESSING SYSTEM COPIES~~ — ~~Electronic copies of records that are created on electronic mail and word processing systems and used solely to generate a recordkeeping 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 recordkeeping 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 recordkeeping copy.~~

~~DISPOSITION: Destroy/delete within 180 days after the recordkeeping copy has been produced.~~

GRS 23, Item 10a

b. ~~Copies used for dissemination, revision, or updating that are maintained in addition to the recordkeeping copy.~~

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

GRS 23, Item 10b