

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: NC-398-75-001

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 11/2/2021

ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

All other items remain active.

SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 3 was superseded by GRS 4.2, item 020 (DAA-GRS-2016-0002-0001)

Item 5 was superseded by N1-570-05-003, item 1

Item 6 was superseded by N1-570-05-003, item 2

Item 7 was superseded by N1-570-05-003, item 3

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS

(See Instructions on Reverse)

TO GENERAL SERVICES ADMINISTRATION,
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, D.C. 20408

1 FROM (AGENCY OR ESTABLISHMENT)
Dept. of Transportation

2 MAJOR SUBDIVISION
Office of the Secretary

3 MINOR SUBDIVISION
Office of the General Counsel

4 NAME OF PERSON WITH WHOM TO CONFER
Vivian D. Terrell

5 TEL EXT
426-0140

6 CERTIFICATE OF AGENCY REPRESENTATIVE

LEAVE BLANK	
DATE RECEIVED DEC 9 1974	JOB NO NC-398-75-1
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disposal request, including amendments, is approved except for items that may be stamped 'disposal not approved' or 'withdrawn' in column 10	
3-31-75 <i>Walter Robert Jr.</i> Date <i>actg.</i> Archivist of the United States	

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

12/3/74
(Date)

Paul F. Long
(Signature of Agency Representative)

Chief, Facilities Management Branch
(Title)

7 ITEM NO	8 DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
	<p><u>Legal Matters</u></p> <p>The records described in this schedule pertain to the management and operations of DOT's legal services program files. DOT's legal services program files are accumulated as a result of providing legal counsel, advice, suggestions, and assistance to services and staff offices to assist them in accomplishing their missions and program responsibilities. They are accumulated only by the Office of the General Counsel. This schedule is not applicable to documents accumulated by offices receiving legal services. Documents of this type should be identified with, and filed in the particular case file for, the contract, project, inquiry, or transaction to which the legal service pertains. The schedule describes the pertinent records categories and specifies the retention period and disposition for each.</p> <p><i>Copy to Agency & NCW 4/3/75 CD</i></p>		

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7 ITEM NO	8 DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
1.	<p><u>General Legal Subject Files.</u> Correspondence, memoranda, and other documents relating to general legal services which, because of their nature, cannot logically be filed in one of the specific categories described in this schedule.</p> <p>Transfer to Federal Records Center when 3 years old. Destroy when 6 years old.</p>		
2.	<p><u>Legislation Files.</u> <i>A.</i> Documents accumulated in preparing, reviewing, and commenting on, and providing legal advice and assistance on legislation proposed by or in the interest of DOT. Included are comments, interpretations, notes, drafts, reports to committees on introduced legislation, and similar documents.</p> <p>PERMANENT. Transfer to FRC when 6 years old. Offer to the National Archives when 10 years old.</p> <p><i>B. All other files not proposed by or in the interest of DOT. Transfer to FRC when 3 years old. Destroy when 10 years old. 2-7-75</i></p>		
3.	<p><u>Freedom of Information Files.</u> Documents accumulated in providing legal advice and assistance on implementation of the "Freedom of Information Act." Included are requests for information, interpretations, copies of letters denying access to requested information, and similar documents.</p> <p>Transfer to FRC when 3 years old. Destroy when 6 years old.</p>		

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7 ITEM NO	8 DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
4.	<p><u>Legal Assistance Files.</u> Documents legal advice and counsel to officials of DOT and other Federal agencies to assist them in accomplishing their missions and program responsibilities.</p> <p>Transfer to FRC when 3 years old. Destroy when 6 years old.</p>		
5.	<p><u>Patent Case Files.</u> Documents created in reviewing invention disclosures of employees and contractors to determine patenting, licensing, assignment, or other disposition action; investigating and disposing of infringement allegations and claims; reviewing use of contract clauses and actions concerning royalties; developing and providing information for use in patent infringement and interference litigation; and handling similar matters.</p> <p>Transfer to FRC 2 years after close of file. Destroy 25 years after close of file.</p>		
6.	<p><u>Trademark Case Files.</u> Documents developed in preparing, filing, and prosecuting applications to register trademarks, service marks, certification marks, and collective membership marks; and documents developed in connection with opposition and concurrent use proceedings.</p> <p>Transfer to FRC 2 years after completion of case. Destroy 25 years after completion of case.</p>		

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS—Continuation Sheet

7 ITEM NO	8 DESCRIPTION OF ITEM (WITH INCLUSIVE DATES OR RETENTION PERIODS)	9 SAMPLE OR JOB NO	10 ACTION TAKEN
7.	<p><u>Copyright Case Files.</u> Documents developed in connection with the registration and acquisition or licensing of copyrights; and documents developed in connection with opposition and concurrent use proceedings.</p> <p>Transfer to FRC upon expiration of original term of copyright. Destroy 28 years after expiration of original term of copyright.</p>		
8.	<p><u>Environmental Case Files.</u> Correspondence and legal documents relating to such environmental matters as highways, bridges, and airports.</p> <p>Transfer to FRC after close of case. Destroy 3 years thereafter.</p>		
9.	<p><u>Litigation Files.</u> Documents relating to litigation by or against the Federal Government resulting from such action as sales, claims, torts, and contracts.</p> <p>Transfer to FRC after close of case. Destroy 10 years or sonner after close of case as designated by the Assistant General Counsel for Litigation.</p>		