

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		<b>LEAVE BLANK (NARA use only)</b>	
TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER <i>71-506-07-9</i>	
1. FROM (Agency or establishment) Defense Commissary Agency (DeCA)		DATE RECEIVED <i>9-27-2006</i>	
2. MAJOR SUB DIVISION Office of the General Counsel		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request, including amendments is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
3. MINOR SUBDIVISION N/A			
4. NAME OF PERSON WITH WHOM TO CONFER Carol Chambliss	5. TELEPHONE (804) 734-8841	DATE <i>9/27/06</i>	ARCHIVIST OF THE UNITED STATES <i>Anna W. ...</i>
6. <b>AGENCY CERTIFICATION</b> 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 <u>11</u> page(s) are not needed now 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 <i>9/27/06</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>Carol Chambliss</i>		TITLE Records Officer, DeCA - East
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	General Counsel (Series 80) "Recordkeeping Copy: Media Neutral"		
<i>LE 3/7/08 copies sent to agency, DWMB, DWMIE, DWMIA, &amp; NR</i>			

**80**     **LEGAL MATTERS.** *These records concern judicial and administrative boards and proceedings, decision, opinions, and policies applicable to civil law and military affairs; domestic, international, foreign, procurement, contract and commercial law; policies and procedures relative to patents, inventions, taxation, land litigation; ethics; Freedom of Information Act and Privacy Act; investigation, processing, settlement, and payment of claims against or on behalf of the Government; and the provision of legal services to the Defense Commissary Agency. All items in this schedule are considered "Media Neutral."*

**80-1     GENERAL LEGAL SERVICES CORRESPONDENCE.**

- 1)            a.     **GENERAL LEGAL CORRESPONDENCE.** Correspondence relating to legal matters that cannot logically be filed with the detailed records.

**Disposition:**

**COFF:** end of FY

**DEST:** in CFA after 2 years

- 2)            b.     **INFORMATIONAL DOCUMENTS.** Documents relating to legal services that are received for information only, on which no action is required.

**Disposition:**

**DEST:** when no longer needed for current operations

**80-2d     JUDICIAL INFORMATION RELEASE FILES.** Documents on the release of information for use in litigation in response to subpoenas, court orders, or requests. Included are requests, subpoenas, court orders, copies of the documents concerned or summaries of their contents, recommendations concerning releases, memorandums of law, the coordinating actions, and related papers.

**To the extent possible, file these papers in the particular file to which the information release pertains (example, the proper personnel, patent, or claim file).**

- 3)            1) **SAFEGUARDED INFORMATION**

**Disposition:**

**COFF:** end of FY

**TRANSFER:** to FRC after 4 years

**GC, HQ DeCA DEST:** Safeguarded information after 10 years

- 4)            2) **NONSAFEGUARDED INFORMATION**

**Disposition:**

**COFF:** end of FY

**GC, HQ DeCA DEST:** after 2 years

- 5)            **80-2f     LEGAL OPINION PRECEDENTS OF CASES INVOLVING LITIGATION.** Documents showing legal opinions concerned with interpretations of statutes, laws, regulation, investigations, and similar legal matters. Excluded are documents on a specific claim, investigation, or case. The excluded documents will be disposed of with the claim, investigation, or case file to which they belong.

**Disposition:**

**COFF:** end of FY

**TRANSFER TO FRC:** After 4 years

**DEST:** after 15 years

**80-5 PECUNIARY FILES.** Documents pertaining to pecuniary actions involving DeCA property.

- 6) **80-5a PECUNIARY CHARGE APPEALS.** Information on the review, processing, and making of determinations in connection with appeals on the establishment of pecuniary charges. Pecuniary charges are established as a result of reports of survey covering loss of property, board proceedings covering losses or shortages in appropriated or nonappropriated funds, and proceedings on the loss of individual's property. Included are copies of reports of survey, GPLDS, inquiries from and answers furnished GAO, and similar information.

**Disposition:**

**COFF:** when case closes

**TRANSFER :** to FRC after 4 years

**GC, HQ DeCA DEST:** 10 years after closing of case

**80-12 CLAIM FILES.** These records relates to claims involving DeCA.

**80-12a CLAIM INVESTIGATION REPORTS.** Documents showing the results of investigation of accidents and incidents which could but do not result in the filing of a claim. Included are investigation reports; marine casualty investigation reports; statements of witnesses, and related papers.

- 7) 1) **REPORT ON POSSIBLE CLAIM AGAINST THE GOVERNMENT**

**Disposition:**

**COFF:** on expiration of the pertinent statutory period for filing a claim

**GC, HQ DeCA DEST:** 10 years after COFF

- 8) 2) **REPORTS ON POSSIBLE CLAIMS IN FAVOR OF THE GOVERNMENT ON WHICH NO CLAIM EXISTS:**

**Disposition:**

**COFF:** on expiration of the pertinent statutory period for filing a claim

**GC, HQ DeCA DEST:** 10 years after COFF

- 9) **80-12c CLAIMS.** Case files on claims for damage, loss or destruction of private property; personal injury or death resulting from negligence of wrongful acts or omission of acts by military personnel and civilian employees. **NOTE: If results in Litigation file under 80-11**

**Disposition:**

**COFF:** after final action on the case

**GC, HQ DeCA DEST:** 10 years after final action on the case

10)

**80-16b LAW ENFORCEMENT AGENCY CRIMINAL TYPE REPORTS.** DCIS and other law enforcement agency reports about crimes against the Government, except those involving espionage, sabotage or loyalty matters. Included are reports containing criminal suitability type information on members of the services and DoD civilians which are sent to commands and agencies for information or proper action.

**Disposition:**

**COFF:** end of FY

**GC, HQ DeCA DEST:** after 1 year