

REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS

(See Instructions on Reverse)

43 items

TO: GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408

1. FROM (AGENCY OR ESTABLISHMENT)

Department of Housing & Urban Development

2. MAJOR SUBDIVISION Assistant Secretary

for Fair Housing and Equal Opportunity

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER

Sadie R. Dixon

5. TEL. EXT.

755-7390

6. CERTIFICATE OF AGENCY REPRESENTATIVE:

LEAVE BLANK

DATE RECEIVED

JUL 22 1975

JOB NO.

NC-207-76-2

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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.

1-6-76
(Date)

James B. Rhoads
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 9 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

7-17-75
Date

Russell F. Thompson
(Signature of Agency Representative)

DHUD Records Officer
(Title)

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	<p><u>Records of the Fair Housing and Equal Opportunity Program</u></p> <p>This new schedule covers the records not previously scheduled, for the Office of Fair Housing and Equal Opportunity and its predecessors, Under the Authority of Title 42-USC-3533(a), April 11, 1968.</p> <p>12/1/75 changes made with approval of Sadie Dixon.</p> <p>Copies to Agency + AIIERC's 1-8-76 AD</p>		

25 W

(initials)

RECORDS SCHEDULE

FAIR HOUSING AND EQUAL OPPORTUNITY

This schedule covers the official copy of records created by the Office of Fair Housing and Equal Opportunity and its predecessors (Headquarters and Field Offices) under the authority of Title 42-USC-3533 (a).

Item ..

No.

Description of Records

Disposition

Original Complaint and Compliance Review Case Files. A chronological history of complaints or compliance reviews from submission or initiation to final action, and all conciliation or voluntary efforts used to achieve compliance. Complaints and/or Compliance Reviews pursuant to Title VI of the Civil Rights Act of 1964; Title VIII of the Civil Rights Act of 1968, as amended by Section 808 (b) of the Housing and Development Act of 1974; Executive Orders 11246, 11375, 11063, 11625, and 11478; Section 3 of HUD Act of 1968; Section 109 of the Housing and Urban Development Act of 1974; Section 28 of the Fair Labor Standards Amendments of 1974; any violations of HUD contract provisions involving civil rights or equal opportunity considerations, constitutional violations and to investigations and compliance reviews pursuant to those statutes and Executive Orders. The official file is the file created or maintained in the office having final authority to determine or decide the case. If a combined review is made in conjunction with a complaint investigation; the papers generated become a part of the complaint file.

1. Archival Sample (Complaint and Compliance Review Cases).
Criteria for Selection: Cases chosen should balance both the successes and failures of the program. A judicious selection includes cases which reveal ordinary or extraordinary problems. Unusual cases should be chosen for their illustration of new approaches; the precedents which they set; their effect on policy; and the new administrative, social, political, and legal problems they engender.

Permanent. Select 5 samples per year. Place in inactive file until volume is sufficient to ~~fill one Archives carton.~~ *amounts to five (5) cubic feet.* Transfer to Federal Records Center. Offer to National Archives 25 years after transfer.

Determination of which cases are to be offered to the National Archives is to be made at the time the files are retired to Federal Records Center for storage, and these cases are to be retired in a separate accession. (Selection is to be

See item 2 and 4 for disposition of other cases.

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FAIR HOUSING AND EQUAL OPPORTUNITY

<u>Item No.</u>	<u>Description of Records</u>	<u>Disposition</u>
	made by the Office of Fair Housing and Equal Opportunity	
2.	Complaint Case File. Original complaints, affidavits, incoming correspondence, copies of outgoing correspondence, receipts for certified mail, original final investigation reports conciliation agreements and related correspondence.	Destroy. Transfer to Federal Records Center 1 year after final adjustment or case is closed. Destroy 5 years after case is closed.
3.	Background Documents not included in Complaint Case File, including <u>Investigator's working papers.</u>	Destroy on site 2 years after final adjustment or case is closed.
4.	Compliance Review Case Files And Reports. Findings and recommendations concerning a recipient's compliance or noncompliance with relevant statutes and regulations including any plan for voluntary compliance. Determination by Assistant Regional Administrator for Fair Housing and Equal Opportunity that a need to examine the operations of a recipient exists. Also includes exhibits, background documents and reports.	Destroy. Transfer to Federal Records Center 1 year after final adjustment or case is closed. Destroy 5 years after case is closed.
5.	Employee Complaint Case File. Complaints of discrimination by employees of, or applicants for employment with the Department.	
	a. When case is resolved within HUD.	Destroy. Transfer to Federal Records Center 1 year after final adjustment or case is closed. Destroy 5 years after case is closed.

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b.	When case is resolved by U. S. Civil Service Commission.	The Official case file is retained by USCSC according to their records control schedule.
c.	All other <u>copies</u> of EEO complaint case files or <u>duplicates</u> of documents pertaining to case files which are included in case files retained under Item 5 above.	Destroy on site 1 year after final adjustment or case is closed.
d.	All <u>background</u> documents pertaining to the case but not included in case files retained under Item 5a above.	Destroy on site 3 years after final adjustment or case is closed.
6.	Incomplete Complaints Case Files. Cases which do not proceed to full or regular investigation; lack of jurisdiction, or charging party cannot be located.	Destroy on site 1 year after last action
7.	Copies of Complaint Case Files Referred To State and Local Agencies. Complaints allege violations of State and Local laws referred to State and Local Agencies for processing.	Destroy. Transfer to Federal Records Center 1 year after final adjustment or case is closed. Destroy 5 years after case is closed.
8.	Program Subject File ("Working Paper File") General Complaint Correspondence And Complaint Activity File. Control Procedures, guidelines, and general information on processing complaints under various Executive Orders; correspondence with individual Assistant Regional Administrators conferences on status of complaints; monthly complaint reports and special analysis of complaint activity.	Destroy. Break file annually. Destroy when 3 years old.

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<u>Item No.</u>	<u>Description of Records</u>	<u>Disposition</u>
9.	Original Status Summary Logs and Monthly Closing Logs. Original Status Summary Logs for Title VIII, HUD Form 930.1; Title VI and Executive Orders 11063, HUD Form 930.2; 11478, HUD Form 930.3; 11246, HUD Form 930.4; and Monthly Closing Logs on Complaints and Compliance Reviews; progress charts; information on exact status of complaint and compliance reviews.	Destroy on site 6 years after date of log.
10.	Contract Compliance Review File. Correspondence, memoranda, contractor facility reviews, reports of the Compliance Division comprising a summation of reports, conferences, meetings, and correspondence on conciliation with contractors dealing with Federal Agencies.	Destroy on site 2 years after case is closed.
11.	"Wats File (Wide Area Telephone System)". Transcript of Title VIII discrimination telephone complaints phoned to Central Office by individuals throughout the country. After the complaint is logged, if the complaint is bonafide, it is given a control number. The original copy of the complaint is forwarded to the Regional Office for investigation. When complaints are resolved by conciliation, the end result is the conciliation agreement. The "Wats" file and the logs are used to establish areas of concern not covered by Title VIII of the Civil Rights Act of 1968.	
	a. Official copy	Destroy. Break file annually. Transfer to Federal Records Center 1 year after final

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		adjustment or case is closed. Destroy 5 years after case is closed.
	b. All other copies	Destroy 1 year after date of complaint.
	c. Complaint Logs	Destroy on site 6 years after date of complaint.
12.	Project Case File (Filed by Subject) on civil rights compliance matters. Includes evaluation of the civil rights compliance in the Regional Offices, answers to U. S. Civil Rights Commission, questionnaires, background data on sex discrimination; surveys and studies. This includes copies of forms, and all associated documentation relating to the above.	Destroy. Break file every 2 years. Transfer to Federal Records Center when all legal actions are completed. Destroy 4 years after all legal actions are completed.
13.	Research and Special Projects Contract File. Contains copies of correspondence and related material requesting contract service for Research Projects for the Department. These projects are designed to further the objectives of Title VIII of the Civil Rights Act of 1968, The Federal Fair Housing Law. This file documents the transaction or relationship of each specific proposal from its inception to close.	Dispose upon termination or completion.
14.	Locality Code File (HUD Master Locality File Volume A and B) for each region. Used in maintaining logs of complaints and compliance reviews by locality.	Destroy. Maintain on site in current status. Destroy when no longer required. Review every 3 years.

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<u>Item No.</u>	<u>Description of Records</u>	<u>Disposition</u>
15.	Locality Files (General Correspondence) established by Area and Insuring Office jurisdiction, general correspondence regarding compliance matters not related to a specific case.	Destroy on site when 2 years old.
16.	Official Program Subject File (Substantive Records) Consisting of basic statutes, legislative proposals, legal opinions, Congressional statements, organizations, charts, termination of functions, delegations of authority, redelegations, policy statements, operating procedures and instructions, agenda and minutes of meetings, decisions and recommendations, reports, agreements, memorandum of understanding, and studies. Includes chronological file used as an index to Official Program Subject File.	
	a. Headquarters	Permanent. Transfer to Federal Records Center when 3 years old. Offer to National Archives when 25 years old.
	b. All other copies	Destroy when 4 years old.
17.	Program Review File (Filed by Program). Reports and correspondence from each Assistant Secretary and other officials with program responsibility relating to their implementation of the equal opportunity requirements and aspects of the program. Includes inspection and reviews from program staff such as, Headquarters Readiness Review	Break file annually. Transfer to Federal Records Center 1 year after case is closed. Destroy 5 years after case is closed.

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	Reports, findings and recommendations; performance; training and evaluation reports. These are used to measure progress and accomplishments made on each particular program; and to evaluate the utilization of Regional Office staff resources and their ability to train employees, monitor and evaluate Area and Insuring Offices.	
18.	Historical Reference Files ("Legal"). Documentation affecting the Fair Housing and Equal Opportunity Program; Executive Orders, statutes, articles, and speeches, statements used before congressional committees; public and private organizations, memorandum of understanding; Fair Housing Ordinances and Resolutions; DHUD-Equal Opportunity rules and regulations.	Permanent. Break series every 5 years beginning December 31, 1976. Maintain on site 10 years. Offer to National Archives when 15 years old.
19.	Consent Decrees File (Department of Justice) Copies. These are unpublished copies of Consent Decrees from the Department of Justice as a result of suits filed in Title VIII pattern or practice cases.	Destroy on site when 5 years old.
20.	Issuances. Manuals, circulars, instructions, directives, informational releases, speeches, publications, and directories, and organizational charts.	
	a. Official Record Copy. One complete set of each issuance, including amendments and superseded or canceled documents, together with supporting case file if any.	Permanent. Transfer to Federal Records Center when non-current or termination of program. Offer to National Archives 25 years after date file is closed.

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	b. All other Copies.	Destroy on site as nonrecord after administrative need no longer exist.
21.	Contractors Report File submitted to Central and Regional Office of Contract Compliance. Included are Monthly Progress Reports, Contractor's Activity Reports; Post Implementation Reports, Manpower Utilization Report, OF-66; Inquiries regarding wage and employment; correspondence and reports regarding noncompliance with contracts. These reports are required of the contractors or sub-contractors so as to monitor the implementation of their performance under "Home Town and Imposed Plans" based on requirements in bid conditions; and to insure the compliance of Equal Employment Opportunity requirements of Executive Order 11246.	Destroy 2 years after file is closed.
22.	Data Analysis File.. Copies of Regional Office logs containing fair housing and equal opportunity complaint and compliance review activity data and copies of monthly and final sales reports and occupancy reports (aggregate) relating to HUD's Affirmative Fair Housing Marketing Regulations.	Destroy on site 10 years after date of file.
23.	Questionnaire File (HUD Form 923, Private Lending Institution Questionnaire). Forwarded to Member Lending Institutions of Federal Financial Regulatory Agencies. Data used to develop policy and plans for implementating Federal Fair Housing Laws.	Destroy on site 3 years after file is closed.

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Item No.	Description of Records	Disposition
24.	Correspondence Between Office of Federal Contract Compliance, Department of Labor; Department of Housing and Urban Development And The Office of Fair Housing and Equal Opportunity. Contains copies of rules and regulations on Executive Order 11246, pre-award orders, lists of Compliance Officers-Government wide, debarred firms, and Departmental consolidated lists of debarred, suspended and ineligible contractors and grantees, and related correspondence.	Break file annually. Maintain on site 1 year after file break. Bring forward record material and place in current file. Destroy nonrecord material after 1 year. <i>Destroy 3 years after date of file.</i>
25.	Technical Assistance File (State and Local Government, Funded Agencies, and Individuals). Correspondence, reports, and related documents pertaining to the development and implementation of policies for dealing with State and Local Government, Funded Agencies and Individuals, requests for technical assistance on technical matters, assistance on housing problems, and related correspondence.	Break file annually. Maintain on site 1 year after file break. Bring forward record material and place in current file. Destroy nonrecord material after 1 year. <i>Destroy 3 years after date of file.</i>
26.	General Correspondence File. Consists of general correspondence which does not involve policy decisions relating to the Fair Housing and Equal Opportunity program. Communications between Divisions, Branches, and Sections of DHUD, outside firms, organizations, companies and other government agencies.	Break file annually. Maintain on site 1 year after file break. Bring forward record material and place in current file. Destroy nonrecord material after 1 year. <i>Destroy 3 years after date of file</i>
27.	Training (General File). Correspondence and documents relating to the overall administration of Fair Housing and Equal Opportunity functions. Included agenda and materials presented for all Fair Housing and Equal Opportunity Directors,	Break file annually. Maintain on site 1 year after file break. Bring forward record material and place in current file. Destroy nonrecord material

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	workshops, training needs, surveys and related correspondence.	and place in current file. Destroy nonrecord material after 1 year. <i>Destroy 3 year after date of file.</i>
28.	Fair Housing and Equal Opportunity Counselors File. Current listings of EEO Counselors, rosters and related correspondence with the Regional Office; copies of pertinent procedural guidelines; original and record copies of correspondence with Field and Central Office; copies of consolidated reports to Central Office.	Maintain procedural guidelines and listings in current status. Destroy consolidated reports when superseded or obsolete. Review every 2 years. Destroy all other files after review.
29.	Reports File. Consists of periodic activity summary reports.	Destroy on site 2 years after date of file.
30.	Minority Participation Reports File And Related Correspondence. Reports and correspondence from Regional Offices such as, Minority Participation in the Bank Deposit Program, Minority Participation in Section 235 and 236 programs, Housing Management, Property Disposition and other HUD programs; graphs and consolidated reports, and general correspondence from other government agencies.	
	a. Official copy.	Destroy on site when 5 years old.
	b. All other copies	Destroy on site when 2 years old.
31.	Minority Consultant Firms and Registry File. Consists of lists of Minority Consultant Firms, Registry on Minority Contractors.	Destroy on site after superseded or obsolete at end of each calendar year.

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<u>Item No.</u>	<u>Description of Records</u>	<u>Disposition</u>
32.	Voluntary Compliance (Written Agreement) Files.	
a.	Fair Housing Ordinances and Resolutions obtained from cities within Field Office jurisdictions. HUD requires the cities to submit these ordinances and resolutions to promote open housing in all HUD programs.	Destroy on site when 3 years old if material is obsolete or superseded.
b.	Institutional Affirmative Action Plans required from organizations, individuals and local communities who have voluntarily agreed to follow and cooperate with Fair Housing and Equal Opportunity guidelines and program requirements.	Destroy on site 2 years after date of file
c.	Institutional Affirmative Fair Housing Marketing Plan to affirmatively market housing to individuals of similar income levels in the same market area and make available to individuals the like range of choices of housing regardless of race, color, religion, or national origin.	Destroy on site 2 years after date of file.
d.	News Media and Proclaimer. Correspondence and agreements with Newspapers, radio and television stations and other media of dissemination to develop feature stories on Fair Housing and Equal Opportunity programs.	Maintain on site in current status. Destroy 1 year after date of completed action.
