

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b> <i>(See Instructions on reverse)</i>		LEAVE BLANK (NARA use only)	
TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER <b>11-317-97-1</b>	DATE RECEIVED <b>5-15-97</b>
1. FROM (Agency or establishment) <b>U.S. Department of Labor</b>		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION <b>Pension and Welfare Benefits Administration</b>		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	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 <b>Office of Regulations and Interpretation (ORI)</b>			
4. NAME OF PERSON WITH WHOM TO CONFER <b>Rudy Nuissl</b>	5. TELEPHONE <b>(202)219-7461</b>	DATE	ARCHIVIST OF THE UNITED STATES <b>WITHDRAWN</b>

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 2 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 <b>5/5/97</b>	SIGNATURE OF AGENCY REPRESENTATIVE 	TITLE
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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 GRS OR SUPERSEDED JOB CITATION	10.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)
	<p style="text-align: center;"><b>PWBA RECORDS SCHEDULE NO. <u>2</u></b></p> <p><b>1. <u>Advisory Opinion, Information Letter Request File</u></b></p> <p>Consists of correspondence, memoranda and other documents relating to requests for advisory opinions and information letters interpreting and applying the provisions of Title I of the Employee Retirement Income Security Act (ERISA) and the Federal Employees Retirement System Act (FERSA). Requests result in issuance of an acknowledgment letter, advisory opinion letter, information letter or a letter declining the request. Files cover the period from the enactment of ERISA and FERSA (1986) to the present. Approximately 1175 advisory opinion letters and 2000 information letters have been issued to date. Each file typically contains ten to twenty 8 by 11 inch sheets. Files will continue to accumulate in the future at approximately the same rate as in the past. Files often contain additional background information submitted by the requester, as well as internal memoranda. Filed numerically by case number.</p> <p><u>Disposition.</u> Remove from active file when case is resolved, hold for two (2) years, transfer to Federal Records Center for retention on a permanent basis. <b>RETAIN</b>, because many of the issuances to which these</p> <p style="text-align: center;"><b>CONTINUE</b></p>		<b>WITHDRAWN</b>

## CONTINUATION

files relate establish important precedents with regard to the legal effect of the relevant statutes. The public frequently requests access to back files to assist them in submitting similar requests. Records are needed from time to time by the public and the government for enforcement and litigation purposes. Staff of ORI uses files to research current requests for rulings and guidance under Title I of ERISA. The issuances to which these files relate are widely recognized for their uniqueness by authorities and specialists on ERISA and FERSA outside the Government.

2. Technical Assistance Case File

Consists of correspondence, memoranda and other documents regarding the interpretation and application of Title I of ERISA. Requests by other federal offices and agencies typically result in issuance of technical assistance memoranda. Filed numerically by case number.

Disposition. Remove from active files when case is resolved, hold for two (2) years, transfer to Federal Records Center for retention for an additional twenty years. Twenty year retention period is requested because these records are needed from time to time for enforcement and litigation purposes, as well as to provide the agency with a research data base.

3. Regulation Files

Consists of correspondence, (including comment letters by the public), memoranda and other documents relating to the development and issuance of a regulation, interpretive bulletin, ruling, technical release on similar guidance relating to Title I of ERISA, or to FERSA. Approximately 183 such issuances have been promulgated to date. Each file typically contains thirty to fifty 8 by 11 inch sheets, although some files may contain more. Arranged categorically by reference to section number of the applicable statute and/or the code of Federal Regulations.

Disposition. Remove from active file after three (3) years of issuance of the guidance and transfer to Federal Records Center for retention on a permanent basis. RETAIN, inasmuch as the issuances to which the case files relate generally have the force of law until the guidance is withdrawn or superseded.

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