

REQUEST FOR RECORDS DISPOSITION AUTHORITY <i>(See Instructions on reverse)</i>		LEAVE BLANK (NARA use only)	
TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		JOB NUMBER <div style="text-align: center;">N1-48-93-3</div>	
1. FROM (Agency or establishment) <div style="text-align: center;">Department of Interior</div>		DATE RECEIVED <div style="text-align: center;">10/27/93</div>	
2. MAJOR SUBDIVISION <div style="text-align: center;">Office of the Secretary</div>		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	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 <div style="text-align: center;">Office of the Solicitor</div>			
4. NAME OF PERSON WITH WHOM TO CONFER <div style="text-align: center;">Richard Willis</div>			
5. TELEPHONE <div style="text-align: center;">(202) 208-5435</div>		NOTIFICATION TO AGENCY <div style="text-align: center;"> <i>Testing</i> DATE ARCHIVIST OF THE UNITED STATES 3-21-94 <i>Grady Hunkamp Peterson</i> </div>	
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 _____ 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, <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> is not required; <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested. </div>			
DATE <div style="text-align: center;">10/27/93</div>	SIGNATURE OF AGENCY REPRESENTATIVE <div style="text-align: center;"><i>Richard C. Willis</i></div>	TITLE 	
7. ITEM NO. <div style="text-align: center;">35</div>	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION 1. New Item H34: Closed Surface Mining Control and Reclamation Act (SMCRA) Case Files. Judicial litigation case files documenting legal actions brought under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). These records include offensive litigation files of actions to collect reclamation fees and civil penalties, actions for injunctions to compel reclamation of mine sites, claims filed in bankruptcy proceedings, and defensive litigation files of actions brought against the United States, the Department of Interior, the Office of Surface Mining Reclamation and Enforcement, or its employees. a. Cases selected by the Office of the Solicitor because of historical and precedent setting nature (See Item H12 for selection criteria). AUTHORIZED DISPOSITION: PERMANENT. Cut off files when the case is closed. Transfer to the Federal Records Center 3 years after cut off. Transfer to the National Archives 10 years after the case is closed.	9. GRS OR SUPERSEDED JOB CITATION 	10. ACTION TAKEN (NARA USE ONLY)
<div style="font-family: cursive; font-size: 1.2em;"> Copy sent to agency, NSR, NN-W, NNT, NCF, NIA 3/24/94 </div>			

b. Nonselected case files

AUTHORIZED DISPOSITION: Break closed files every FY and transfer to the FRC when 3 years old. Destroy 10 years after the case is closed.

2. H12. NOTE TO ITEMS H10, 11, 12, 14, 15, 23, 24, 27, 28, 31, 33, ~~and~~ *34, and 35.*

In selecting litigation case files for permanent retention because of the precedent-setting nature of the case, the Office of the Solicitor will use the following criteria:

- A. Cases that result in court decisions that significantly interpret legislation or regulations.
- B. Cases that are deemed to be significant for investigative or litigation procedures, including contested and/or uncontested cases.
- C. Cases that gain national attention because of considerable Congressional or public interest.
- D. Cases that show possible conflicts of interest.

Modification to NC1-48-77-1, Item H12 ("³⁵~~34~~" added)