

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

General Information

Agency or Establishment	Office of the United States Trade Representative
Record/Scheduling Group	0364 - Records of the Office of the United States Trade Representative
Records Schedule Applies to	Agency-wide
Schedule Subject	Records of the Office of the United States Trade Representative
Additional Schedule Information	<p>The Office of the U.S. Trade Representative was established as an Agency within the Executive Office of the President by the Trade Act of 1974 (19 U.S.C. 2171) and signed into law on January 3, 1975. The Office carries out its functions under the authority of the Trade Expansion Act of 1962 (19 U.S.C. 1801 et seq.); and the Trade Act of 1974; and under authority delegated by the President in Executive Order 11846 of March 27, 1975, as amended; and the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.).</p> <p>The Office of the U.S. Trade Representative (USTR) is responsible for the development and coordination of U.S. international trade, commodity, and direct investment policy, and overseeing negotiations with other countries. The Office is headed by the U.S. Trade Representative, a Cabinet-level official with the rank of Ambassador, who reports directly to the President of the United States. The U.S. Trade Representative serves as the President's principal trade advisor, negotiator, and spokesperson on trade issues. The Office also consists of three Deputy U.S. Trade Representatives and a Chief Agricultural Negotiator each holding the rank of Ambassador, and professional staff.</p> <p>Through consultation with the interagency trade policy organization, USTR has primary responsibility for U.S. international trade policy. USTR executes its institutional interagency role by chairing two processes, the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC) comprised of 19 Federal agencies to review trade policy matters.</p> <p>The U.S. Trade Representative is responsible for supervising and coordinating the trade agreement programs and directs U.S. participation in trade negotiations with other countries.</p>
Is there a classified version of this form?	No

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

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Is consultation and coordination with Tribal Governments required? Predate requirement

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

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Item Count

Total number of disposition items: 10

Number of Temporary disposition items: 3

Number of Permanent disposition items: 7

Number of Items with Disposition Not Approved: 0

Number of Inactive disposition items: 0

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

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Outline of Records Schedule Items for DAA-0364-2016-0001

Item #	Title	Disposition
0001	Records Common to all Offices within USTR : Program Support Files	Temporary
0002	Records of Senior Leadership : Senior Leadership Program Files	Permanent
0003	Records of Senior Leadership : Senior Leadership Official Correspondence	Permanent
0004	Records of the Office of General Counsel and the Office of Monitoring and Enforcement : Office of General Counsel and the Office of Monitoring and Enforcement Subject Files	Permanent
0005	Records of the Office of General Counsel and the Office of Monitoring and Enforcement : Office of General Counsel and the Office of Monitoring and Enforcement Trade Litigation Files	Permanent
0006	Records of the Office of General Counsel and the Office of Monitoring and Enforcement : Office of General Counsel and the Office of Monitoring and Enforcement Legal Trade Advice Files	Permanent
0007	Records of Geographical and Functional Offices : Geographical and Functional Offices Program Files	Permanent
0008	Records of Geographical and Functional Offices : Legislative Information Files	Temporary
0009	Records of Geographical and Functional Offices : Generalized System of Preferences (GSP) Program Records	Permanent
0010	Records of Geographical and Functional Offices : 301 Exclusion Process	Temporary

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

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Date Approved: 08/17/2023

Records Schedule Items

Group Title	Records Common to all Offices within USTR	
DAA-0364-2016-0001-0001	STATUS: Active	
ITEM GENERAL INFORMATION		
Item Title	Program Support Files	
Item Description	Records include routine correspondence, internal memoranda, program plans, reports, evaluations, assessments, decision papers, position papers, congressional documents, meeting notes, talking points, policies and standards, background materials, notes, pre-briefing materials, working papers, drafts, and supporting documentation used to support the mission of the agency.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-364-00-002 / 15	No	
N1-364-88-001 / 13	No	
N1-364-88-001 / 20	No	
N1-364-88-001 / 21/b	No	
N1-364-88-001 / 24	No	
N1-364-88-001 / 30	No	
N1-364-88-001 / 32/b	No	
N1-364-88-001 / 32/c	No	
N1-364-88-001 / 32/d	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Other: At the end of a presidential administration.	
Retention Period	Destroy between 3 year(s) and 15 year(s) after cutoff	
ADDITIONAL INFORMATION		

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Are any of the records covered by this item national security classified?	No
GAO Approval Required	No

Group Title	Records of Senior Leadership
Group Description	<p>Senior Leaders are defined as one of the following:</p> <p>Ambassadors (USTR, Deputy USTRs, Chief Agriculture Negotiator, Chief Innovation and Intellectual Property Negotiator); Assistant U.S. Trade Representatives (AUSTR); Deputy Assistant U.S. Trade Representatives (DAUSTR); Chief of Staff; Deputy Chief of Staff; General Counsel and Deputy General Counsel; Chief Counsel for Administrative Law; staff assistants to those in categories above, such as special assistants, and confidential assistants; and additional roles and positions that predominately create permanent records related to mission critical functions or policy decisions and/or are of historical significance.</p>
DAA-0364-2016-0001-0002	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Senior Leadership Program Files

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

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Item Description	<p>These are files that reflect the office's activities in fulfilling its responsibilities and mission. These files are arranged by office and then alphabetically by subject contain substantive information relating to the following topics: Formulating, issuing, and implementing policy; Prescribe procedures or effect organizational structures; Provide executive direction or documenting major functions; Pertain to relations with the White House, Federal Agencies, Congress or the public; Pertain to trade policy; Pertain to major programs and plans; Pertain to budgetary planning; Prescribe supervision and direction of resource allocation and management; Pertain to engagement, consultation, or arbitration with external entities; Specific issues, requests, events, or people; Pertain to legislation, litigation, or precedent cases; Documentation on developing and coordinating U.S. international trade, commodity, and direct investment policy, and overseeing negotiations with other countries and other related topics; Multilateral, regional and multilateral trade and investment issues; Expansion of market access for American goods and services; International commodity agreements; Negotiations affecting U.S. import policies; Oversight of the Generalized System of Preferences (GSP) and Section 301 complaints against foreign unfair trade practices, as well as Section 1377, Section 337 and import relief cases under Section 201; Trade, commodity, and direct investment matters managed by international institutions such as the Organization for Economic Cooperation and Development (OECD) and the United Nations Conference on Trade and Development (UNCTAD); Trade-related intellectual property protection issues; World Trade Organization (WTO) issues. These records may include, memoranda, reports, correspondence, minutes of meetings, notes, briefing materials, negotiations, speeches, decision papers, publications, pertinent background information, agency authored white papers, that are collected and used by anyone that fits the definition of senior leadership. It also includes agendas, itineraries, presentations, and other materials documenting travel of governing officials travel in their official capacity.</p>
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS	

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Does this item supersede existing disposition authorities?	Yes
Superseded Items	
Superseded Item	Item Superseded in Part? Explanation
N1-364-88-001 / 35/a	No
N1-364-88-001 / 6	No
N1-364-88-001 / 8	No
N1-364-88-001 / 9	No
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Permanent
Cutoff Instructions	Other: The end of a presidential administration
Are there multiple instructions for this item?	No
Transfer Instruction	Transfer to the National Archives between 15 year(s) and 25 year(s) after cutoff
ADDITIONAL INFORMATION	
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown
Approximate first year of records covered by this authority	1989
End year of records covered by this authority	Still being created
Date span of the initial transfer	From: --/--/1989 To: --/--/2008
Are any of the records covered by this item subject to a FOIA exemption?	No
DAA-0364-2016-0001-0003	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Senior Leadership Official Correspondence
Item Description	Arranged chronologically, these files include all in-coming and out-going correspondence and related materials, such as reports and memos, signed by USTR senior leadership and/or sent by Congress
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS	
Does this item supersede existing disposition authorities?	Yes
Superseded Items	

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Superseded Item	Item Superseded in Part?	Explanation
N1-364-00-002 / 5/a	No	
N1-364-00-002 / 5/b	No	
N1-364-88-001 / 10	No	
N1-364-88-001 / 32/a/1	No	
N1-364-88-001 / 32/a/2	No	
N1-364-88-001 / 7	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Permanent	
Cutoff Instructions	Other: The end of a presidential administration.	
Are there multiple instructions for this item?	No	
Transfer Instruction	Transfer to the National Archives between 15 year(s) and 25 year(s) after cutoff	
ADDITIONAL INFORMATION		
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown	
Approximate first year of records covered by this authority	1989	
End year of records covered by this authority	Still being created	
Date span of the initial transfer	From: --/--/1989 To: --/--/2008	
Are any of the records covered by this item subject to a FOIA exemption?	No	

Group Title	Records of the Office of General Counsel and the Office of Monitoring and Enforcement
Group Description	The Office of the General Counsel, which includes the Office of Monitoring and Enforcement, provides legal advice to the United States Trade Representative, Deputy U.S. Trade Representatives, and regional and other USTR offices on negotiations, agreements, trade legislation, certain trade remedies, administrative law, and government ethics. In addition, the office monitors compliance by foreign governments with their obligations under trade agreements with the United States and prosecutes and defends cases in the World Trade Organization (WTO) and U.S. free trade agreement dispute settlement proceedings.
DAA-0364-2016-0001-0004	STATUS: Active

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

ITEM GENERAL INFORMATION		
Item Title	Office of General Counsel and the Office of Monitoring and Enforcement Subject Files	
Item Description	Records documenting the legal advice to the United States Trade Representative, Deputy U.S. Trade Representatives, and regional and other USTR offices on negotiations, international trade agreements, trade legislation, certain trade remedies, Executive Orders, administrative law, and government ethics. Records include inter- and intra-agency memoranda, reports, correspondence and related materials. Files arranged by function and then alphabetically.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?		
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-364-88-001 / 11 (in part)	Yes	N1-364-88-001 / 11 (in part)
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Permanent	
Cutoff Instructions	Other: The end of a presidential administration.	
Are there multiple instructions for this item?	No	
Transfer Instruction	Transfer to the National Archives between 15 year(s) and 25 year(s) after cutoff	
ADDITIONAL INFORMATION		
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown	
Approximate first year of records covered by this authority	1988	
End year of records covered by this authority	Still being created	
Date span of the initial transfer	From: --/--/1988 To: --/--/2008	
Are any of the records covered by this item subject to a FOIA exemption?	No	
DAA-0364-2016-0001-0005	STATUS: Active	
ITEM GENERAL INFORMATION		

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Item Title	Office of General Counsel and the Office of Monitoring and Enforcement Trade Litigation Files	
Item Description	Records documenting the legal advice and information furnished for the investigation, prosecution and defense of cases of trade disputes, WTO and U.S. free trade agreement dispute settlement proceeding, lawsuits and 301 investigations. Records include inter- and intra agency correspondence, adjustment assistance, trade agreements, subsidies, notes, countervailing duties, memorandums, reports, and related materials.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-364-88-001 / 12	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Permanent	
Cutoff Instructions	Other: The end of a presidential administration	
Are there multiple instructions for this item?	No	
Transfer Instruction	Transfer to the National Archives between 15 year(s) and 25 year(s) after cutoff	
ADDITIONAL INFORMATION		
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown	
Approximate first year of records covered by this authority	2009	
End year of records covered by this authority	Still being created	
Date span of the initial transfer	From: --/--/2009 To: --/--/2017	
Are any of the records covered by this item subject to a FOIA exemption?	No	
DAA-0364-2016-0001-0006		STATUS: Active
ITEM GENERAL INFORMATION		
Item Title	Office of General Counsel and the Office of Monitoring and Enforcement Legal Trade Advice Files	

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Item Description	These files document the General Counsels' legal trade advice to the component senior leadership and staff, including inter- and intra-agency memoranda, correspondence and related materials. Files arranged by function and then alphabetically.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-364-88-001 / 11 (in part)	Yes	N1-364-88-001 / 11 (in part)
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Permanent	
Cutoff Instructions	Other: The end of a presidential administration	
Are there multiple instructions for this item?	No	
Transfer Instruction	Transfer to the National Archives between 15 year(s) and 25 year(s) after cutoff	
ADDITIONAL INFORMATION		
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown	
End year of records covered by this authority	Still being created	
Date span of the initial transfer	From: --/--/2009 To: --/--/2017	
Are any of the records covered by this item subject to a FOIA exemption?	No	

Group Title	Records of Geographical and Functional Offices
DAA-0364-2016-0001-0007	STATUS: Active
ITEM GENERAL INFORMATION	
Item Title	Geographical and Functional Offices Program Files

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

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Item Description	<p>Records documenting the official program and mission activities of the United States Trade Representative related to administrative and management services; development and coordination of U.S. foreign trade and investment policy; Free Trade Agreement, World Trade Organization, bilateral and multilateral trade negotiations; commodity trade agreements; negotiations and policy coordination regarding food and agricultural issues; environmental reviews of foreign trade negotiations; advancement of broader U.S. strategic and commercial policy objectives around the world; coordination of industrial and agricultural goods market access, services and investment, intellectual property rights, multilateral affairs, and trade agreement enforcement; Interagency Center on Trade Implementation, Monitoring, and Enforcement; adoption and enforcement of internationally recognized labor rights, including freedom of association; the recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labor; the abolition of child labor; the elimination of discrimination with respect to employment and occupation; and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health; development, negotiation, and implementation of U.S. trade policy related market access for American manufacturers; public and media affairs; services, investment, and digital trade; technical and policy advice to other USTR offices and other U.S. Government agencies on trade policy issues affecting the textile and apparel sector. These records are arranged by office and then alphabetically by subject and include, but are not limited to, memoranda, reports, correspondence, minutes of meetings, notes, briefing materials, agreements, recommendations, negotiations, speeches, decision papers, statistical and economic analytical materials, environmental reviews of multilateral and Free Trade Agreement negotiations, and pertinent background information.</p>	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

N1-364-00-002 / 6/A	No
N1-364-00-002 / 6/B	No
N1-364-88-001 / 14	No
N1-364-88-001 / 15	No
N1-364-88-001 / 16	No
N1-364-88-001 / 17/a	No
N1-364-88-001 / 18	No
N1-364-88-001 / 19	No
N1-364-88-001 / 21/a	No
N1-364-88-001 / 22	No
N1-364-88-001 / 26	No
N1-364-88-001 / 27	No
N1-364-88-001 / 28	No
N1-364-88-001 / 29/a	No
N1-364-88-001 / 29/b	No
N1-364-88-001 / 31/a	No
N1-364-88-001 / 31/b	No
N1-364-88-001 / 32/f	No
N1-364-88-001 / 32/g	No
N1-364-88-001 / 32/h	No
N1-364-88-001 / 33/a/1	No
N1-364-88-001 / 33/a/2	No
N1-364-88-001 / 34	No
N1-364-88-001 / 5	No
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Permanent
Cutoff Instructions	Other: The end of a presidential administration
Are there multiple instructions for this item?	No
Transfer Instruction	Transfer to the National Archives between 15 year(s) and 25 year(s) after cutoff
ADDITIONAL INFORMATION	
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown
Approximate first year of records covered by this authority	1978
End year of records covered by this authority	Still being created
Date span of the initial transfer	From: --/--/1978 To: --/--/2008

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Are any of the records covered by this item subject to a FOIA exemption?	No
DAA-0364-2016-0001-0008 STATUS: Active	
ITEM GENERAL INFORMATION	
Item Title	Legislative Information Files
Item Description	Files contain legislative Referral memorandums and copies of correspondence and materials from Congress and other Federal agencies related to Administration-sponsored legislation and other legislation being considered by the Congress.
Is this item media neutral?	Yes
Is this item a Big Bucket?	No
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS	
Does this item supersede existing disposition authorities?	Yes
Superseded Items	
Superseded Item	Item Superseded in Part? Explanation
N1-364-00-002 / 9	No
N1-364-88-001 / 13	No
N1-364-88-001 / 3 (in part)	Yes N1-364-88-001 / 3 (in part)
Is this item a deviation from the GRS?	No
DISPOSITION INSTRUCTION	
Final Disposition	Temporary
Cutoff Instructions	Other: The end of a Presidential administration.
Retention Period	Destroy 5 year(s) after cutoff
ADDITIONAL INFORMATION	
Are any of the records covered by this item national security classified?	No
GAO Approval Required	No
DAA-0364-2016-0001-0009 STATUS: Active	
ITEM GENERAL INFORMATION	
Item Title	Generalized System of Preferences (GSP) Program Records

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
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Item Description	Records documenting the requests from individuals, companies, organizations, or foreign governments seeking tariff preference designation for or removal of specific items from the list of eligible products and any requests to modify the list of GSP beneficiary countries based on adherence to GSP statutory criteria. Product petitions records include the year of petition, Harmonized Tariff Schedule code and product description, interested parties (e.g. individuals, companies, foreign governments), countries impacted, action requested in petition, whether the petitions were accepted for review, and ultimate outcome, reflecting any Presidential decision to add or remove products. Country practice petition records include the subject country, the year of the petition, the petitioner (e.g. individuals, companies, foreign governments) or whether the review was self-initiated by the U.S. Government, whether the petitions were accepted for review, a description of the issues raised in the petition or or self-initiation, and the outcome of the review, reflecting any Presidential decision to add, remove, partially suspend, or partially restore a beneficiary country's participation in GSP.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
Superseded Items		
Superseded Item	Item Superseded in Part?	Explanation
N1-364-88-001 / 25	No	
N1-364-99-001 / 1/a	No	
N1-364-99-001 / 1/b	No	
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Permanent	
Cutoff Instructions	Other: The end of the calendar year.	
Are there multiple instructions for this item?	No	
Transfer Instruction	Transfer to the National Archives 15 year(s) after None	
ADDITIONAL INFORMATION		
Current Records Format	Paper-based textual records:Unknown ; Textual data:Unknown	

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

Records Schedule Number: DAA-0364-2016-0001

Status: APPROVED
Date Approved: 08/17/2023

Approximate first year of records covered by this authority	1988	
End year of records covered by this authority	Still being created	
Date span of the initial transfer	From: --/--/1988 To: --/--/2008	
Are any of the records covered by this item subject to a FOIA exemption?	No	
DAA-0364-2016-0001-0010		
STATUS: Active		
ITEM GENERAL INFORMATION		
Item Title	301 Exclusion Process	
Item Description	Records related to the review of exclusions, extensions of exclusions, the reinstatement of certain exclusions from tariffs imposed by Section 301 of the Trade Act of 1974. Records include, but are not limited to charts representing exclusion and extension requests, public comments on the restatement of certain exclusions, Section 301 Hotline phone logs, U.S. Harmonized Tariff Schedule codes, company economic information, copies of United States Court of International Trade filings and litigation related documents, relevant Federal Register Notices, and staff training materials.	
Is this item media neutral?	Yes	
Is this item a Big Bucket?	No	
SUPERSEDED AGENCY DISPOSITION AUTHORITIES AND GRS DEVIATIONS		
Does this item supersede existing disposition authorities?	Yes	
	Superseded Items	
Superseded Item	Item Superseded in Part?	Explanation
N1-364-00-002 / 15	No	
N1-364-88-001 / 32/c (in part)	Yes	N1-364-88-001 / 32/c (in part)
Is this item a deviation from the GRS?	No	
DISPOSITION INSTRUCTION		
Final Disposition	Temporary	
Cutoff Instructions	Other: Cutoff at the end of the program	
Retention Period	Destroy 7 year(s) after cut-off	
ADDITIONAL INFORMATION		
Are any of the records covered by this item national security classified?	No	

National Archives and Records Administration
REQUEST FOR DISPOSITION AUTHORITY

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GAO Approval Required	No
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National Archives and Records Administration
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Signatory Information

Action	User	Date
Accept	Data Migration	09/09/2016
Approve	Colleen Shogan	08/17/2023