

Request for Records Disposition Authority

Records Schedule Number	DAA-0081-2017-0004
Schedule Status	Modified Approved Version
Agency or Establishment	International Trade Commission
Record Group / Scheduling Group	Records of the U.S. International Trade Commission
Records Schedule applies to	Major Subdivision
Major Subdivision	Office of the General Counsel
Schedule Subject	Records of the USITC Office of the General Counsel
Internal agency concurrences will be provided	No

Background Information

The U.S. International Trade Commission (USITC or the Commission) is an independent, quasi-judicial Federal agency established by Congress with a wide range of trade-related mandates. The USITC's mission is threefold: to administer U.S. trade remedy laws in a fair and objective manner; to provide the President, the U.S. Trade Representative (USTR), and Congress with independent, quality analysis, information, and support on matters of tariffs and international trade and competitiveness; and to maintain the Harmonized Tariff Schedule (HTS) of the United States. In doing so, the USITC serves the public by implementing U.S. law and contributing to the development and implementation of sound and informed U.S. trade policy.

The mission of the Office of the General Counsel (OGC) is to provide legal advice and guidance to the USITC and its staff. The General Counsel serves as the USITC's chief legal advisor. The General Counsel and the staff attorneys in the office provide legal advice and support to the Commissioners and USITC staff on investigations and research studies, prepare briefs and represent the USITC in court and before dispute resolution panels and administrative tribunals, and provide assistance and advice on general administrative matters, including personnel, labor relations, and contract issues.

This records schedule covers the recordkeeping copy of information created, maintained, and retained by the USITC/OGC. This schedule covers paper and electronic records in the OGC for past and current programs. This schedule authorizes the disposition of the recordkeeping copy in any media (media neutral), to enable USITC/OGC to manage records based on information content and not format.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
11	1	10	0

GAO Approval

Outline of Records Schedule Items for DAA-0081-2017-0004

Sequence Number	
1.	General Counsel Memoranda
1.1	General Counsel memoranda with significant historical value. Disposition Authority Number: DAA-0081-2017-0004-0001
1.2	General Counsel memoranda without significant historical value. Disposition Authority Number: DAA-0081-2017-0004-0002
2	Litigation Case Files Disposition Authority Number: DAA-0081-2017-0004-0003
3	Other Documents and Files
3.1	Investigations of possible violation of administrative protective order or Commission rules Disposition Authority Number: DAA-0081-2017-0004-0004
3.2	Annual summaries of investigations of possible violation of administrative protective order or Commission rules Disposition Authority Number: DAA-0081-2017-0004-0005
3.3	Trade policy support Disposition Authority Number: DAA-0081-2017-0004-0006
3.4	The development or legal review of proposed rules Disposition Authority Number: DAA-0081-2017-0004-0007
4	Working Papers
4.1	Working papers relating to Commission investigations under section 337 of the Tariff Act of 1930. Disposition Authority Number: DAA-0081-2017-0004-0008
4.2	Working papers relating to Commission investigations under Title VII of the Tariff Act of 1930. Disposition Authority Number: DAA-0081-2017-0004-0009
4.3	Working papers relating to Commission safeguards investigations Disposition Authority Number: DAA-0081-2017-0004-0010
4.4	Working papers maintained and used by OGC in providing legal review and advice to the Commission and its staff concerning both administrative and program matters. Disposition Authority Number: DAA-0081-2017-0004-0011

Records Schedule Items

Sequence Number										
1	<p>General Counsel Memoranda OGC maintains record copies of all substantive legal memoranda prepared by OGC for the Commission and its staff concerning both administrative and program matters.</p>									
1.1	<p>General Counsel memoranda with significant historical value. Disposition Authority Number DAA-0081-2017-0004-0001</p> <p>These files include OGC memoranda, redacted to remove confidential business information and business proprietary information, on matters that: • Attracted public interest and/or substantial national or regional media attention; • Resulted in significant congressional action; or • Resulted in substantive changes in ITC policies and procedures.</p> <p>Final Disposition Permanent</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <p>Disposition Instruction</p> <p>Cutoff Instruction Cut off files at the end of the calendar year.</p> <p>Transfer to the National Archives for Accessioning Transfer to the National Archives 20 year(s) after cutoff</p> <p>Additional Information</p> <p>What will be the date span of the initial transfer of records to the National Archives? Unknown Approximately 1997 and earlier</p> <p>How frequently will your agency transfer these records to the National Archives? Every 1 Years</p> <table border="1"><thead><tr><th></th><th>Estimated Current Volume</th><th>Annual Accumulation</th></tr></thead><tbody><tr><td>Electronic/Digital</td><td></td><td>5 MB</td></tr><tr><td>Paper</td><td>2 Cubic feet</td><td></td></tr></tbody></table>		Estimated Current Volume	Annual Accumulation	Electronic/Digital		5 MB	Paper	2 Cubic feet	
	Estimated Current Volume	Annual Accumulation								
Electronic/Digital		5 MB								
Paper	2 Cubic feet									

Microform		
Hardcopy or Analog Special Media		

1.2.

General Counsel memoranda without significant historical value.

Disposition Authority Number **DAA-0081-2017-0004-0002**

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

GRS or Superseded Authority Citation **N1-081-06-1, item C2**

Disposition Instruction

Cutoff Instruction **Cut off files at the end of the calendar year.**

Retention Period **Destroy 75 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

2

Litigation Case Files

Disposition Authority Number **DAA-0081-2017-0004-0003**

Copies of legal documents such as motions, briefs, court opinions and orders, and other records concerning suits brought against the Commission.

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

GRS or Superseded Authority Citation **N1-081-06-1, item C1**

	Disposition Instruction	
	Cutoff Instruction	Cut off files after case closes.
	Retention Period	Delete/destroy files 40 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
3	Additional Information	
	GAO Approval	Not Required
	Other Documents and Files	
3.1	This section covers documents, files, and working papers not addressed in sections (1) through (2), above.	
	Investigations of possible violation of administrative protective order or Commission rules	
	Disposition Authority Number	DAA-0081-2017-0004-0004
	The Office of the Secretary maintains files on these investigations, which files include records of Commission votes, published notices, internal memoranda, and correspondence. The Office of the General Counsel has files pertaining to particular investigations and annual summaries of completed investigations.	
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off files, documents, and working papers at the end of the calendar year that the investigation closes.
3.2	Retention Period	Delete/destroy files, documents, and working papers 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	
	GAO Approval	Not Required
	Annual summaries of investigations of possible violation of administrative protective order or Commission rules	
	Disposition Authority Number	DAA-0081-2017-0004-0005

3.3	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off files, documents, and working papers at the end of the calendar year that the summary is published in the Federal Register.
	Retention Period	Delete/destroy files, documents, and working papers 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	
	GAO Approval	Not Required
	Trade policy support	
	Disposition Authority Number	DAA-0081-2017-0004-0006
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off files, documents, and working papers relating to trade policy support matters after conclusion of trade policy support matter.
	Retention Period	Delete/destroy files, documents, and working papers relating to trade policy support matters 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	
	GAO Approval	Not Required

3.4	<p>The development or legal review of proposed rules</p>
	<p>Disposition Authority Number DAA-0081-2017-0004-0007</p>
	<p>The Office of Administration maintains the Commission's internal rules, which may include directives, policies, procedures, handbooks, administrative orders, administrative announcements, and administrative notices. The Office of the Secretary maintains action jackets related to rulemaking, including action jackets seeking the approval of each Commissioner for the Federal Register publication of notices of proposed, final, and interim rulemaking. OGC has files concerning (1) the development of rules proposed by OGC and (2) legal review of rules proposed by other offices.</p>
	<p>Final Disposition Temporary</p>
	<p>Item Status Active</p>
	<p>Is this item media neutral? Yes</p>
	<p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p>
	<p>Disposition Instruction</p>
	<p>Cutoff Instruction Cut off files, documents, and working papers relating to rulemaking at the end of the calendar year when the rulemaking is completed (i.e., the final internal rule is posted on the Commission's Internal Procedures site or the final rule is published in the Federal Register).</p>
	<p>Retention Period Delete/destroy files, documents, and working papers related to rulemaking 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.</p>
	<p>Additional Information</p>
	<p>GAO Approval Not Required</p>
4	<p>Working Papers</p>
	<p>This section covers all supporting documents and background materials used in the creation of the documents and files described in sections (1) through (3), above, as well as working files maintained and used by OGC in providing legal review and advice to the Commission and its staff concerning both administrative and program matters.</p>
4.1	<p>Working papers relating to Commission investigations under section 337 of the Tariff Act of 1930.</p>
	<p>Disposition Authority Number DAA-0081-2017-0004-0008</p>

4.2	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off at the conclusion of the investigation and any appeal.
	Retention Period	Delete/destroy 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	
	GAO Approval	Not Required
	Working papers relating to Commission investigations under Title VII of the Tariff Act of 1930.	
4.3	Disposition Authority Number	DAA-0081-2017-0004-0009
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off files at the conclusion of the investigation.
	Retention Period	Delete/destroy 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	
	GAO Approval	Not Required
	Working papers relating to Commission safeguards investigations	
	Disposition Authority Number	DAA-0081-2017-0004-0010

4.4	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off files at the conclusion of the investigation.
	Retention Period	Delete/destroy 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	
	GAO Approval	Not Required
	Working papers maintained and used by OGC in providing legal review and advice to the Commission and its staff concerning both administrative and program matters.	
	Disposition Authority Number	DAA-0081-2017-0004-0011
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	No
	Disposition Instruction	
	Cutoff Instruction	Cut off other files at the end of the calendar year when the review and/or advice is provided on the administrative or program matter, the GC memorandum is circulated to the Commission, a copy of the circulated action jacket is returned to GC, or the litigated case closes.
	Retention Period	Delete/destroy files 3 years after cutoff. Longer retention is authorized if OGC determines the records are required for business use.
	Additional Information	

GAO Approval

Not Required

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 in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
02/23/2017	Certify	Gino Ables	Agency Records Officer	OCIO - Data Management Division
06/08/2017	Return for Revision	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
12/08/2017	Submit For Certification	Gino Ables	Agency Records Officer	OCIO - Data Management Division
12/08/2017	Certify	Gino Ables	Agency Records Officer	OCIO - Data Management Division
04/18/2018	Return for Revision	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
04/18/2018	Submit For Certification	Gino Ables	Agency Records Officer	OCIO - Data Management Division
04/18/2018	Certify	Gino Ables	Agency Records Officer	OCIO - Data Management Division
05/02/2018	Submit for Concurrence	Valerie Terray	Archives Specialist	National Archives and Records Administration - Records Management Services
05/02/2018	Concur	Kate Flaherty	Appraiser	National Archives and Records Administration - ACRA
05/02/2018	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
05/04/2018	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist