

Rec'd NCD 3 May 79

# REQUEST FOR AUTHORITY TO DISPOSE OF RECORDS

(See Instructions on Reverse)

LEAVE BLANK	
DATE RECEIVED	JOB NO.
May 7, 1979	NCL-173-79-2
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 "with-drawn" in column 10.	
2-20-81	<i>[Signature]</i>
(Date)	Archivist of the United States

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

1. FROM (AGENCY OR ESTABLISHMENT)  
Federal Communications Commission

2. MAJOR SUBDIVISION  
Office of General Counsel

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER  
Rex Marshall

5. TEL. EXT.  
632-7533

6. CERTIFICATE OF AGENCY REPRESENTATIVE:

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

May 1, 1979 Rex Marshall  
Date (Signature of Agency Representative)

Chief, Records Management Division  
(Title)

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
1	<p>RECORDS CONTROL SCHEDULE FOR OFFICE OF GENERAL COUNSEL</p> <p><u>FUNCTIONS OF THE BUREAU:</u> The Office of General Counsel advises and represents the Commission in matters of litigation; interprets statutes, international agreements and regulations affecting the Commission; makes recommendations with respect to proposed legislation and coordinates the preparation of Commission views thereon for submission to Congress; renders advice and coordinates staff work with respect to general frequency allocation proceedings; studies the licensing practices of patentees and assignees in communications services regulated by the Commission; interprets executive orders affecting the Commission's national defense responsibilities; performs all legal functions with respect to leases, contracts and tort claims; maintains EEO liaison with Federal, state and local agencies, community groups and industry associations; performs all legal functions with respect to experimental operations, operations of restricted radiation devices, and type approvals and type acceptances of radio equipment; cooperates with the Common Carrier Bureau and the Office of Chief Engineer on all matters pertaining to space satellite communications.</p> <p><u>Industry Equal Employment Opportunity Unit</u></p> <p>Subject Files - Correspondence, memoranda, press releases, speeches, bulletins and other administrative materials. Used as reference and research materials.</p>		

115-106

*Kathy Greene (FCC) has concurred in all changes. 1/12/81 [Signature] / copy to Agency, NCR & NAR  
Closed Out: 2-27-81: [Signature]*

STANDARD FORM 115  
Revised January 1973  
Prescribed by General Services Administration  
FPMR (41 CFR) 101-11.4

*28 items*

## Request for Records Disposition Authority - Continuation

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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	<p>Destroy when <sup>5</sup>10 years old or as administrative needs require, whichever is sooner.</p>		
2	<p><u>Commission EEO Guidelines - Drafts, comments, correspondence and other background materials relevant to the EEO guidelines issued to the broadcast industry. This information is presented in docket format, and all official dockets are on file in the Dockets Branch, Secretary's Office.</u></p> <p><del>Transfer to the Federal Records Center five (5) years after docket is closed. Destroy when 20 years old.</del> <u>Administrative Law and Legislation Division</u> <u>Administrative Rules and Procedures Office</u></p>		
3	<p><u>Subject Files - Correspondence relating to the fairness doctrine, obscene and harassing phone calls and zoning ordinances affecting amateur operators.</u></p> <p><del>Transfer to the Federal Records Center, when five (5) years old, and destroy when 20 years old.</del> <i>Destroy</i></p>		
4	<p><u>Communications Interceptor Files - Correspondence relating to various communications interceptor cases which have been brought to Commission attention: scramblers, questions about citizens band radios, the legality of eavesdropping, and voice print identification.</u></p> <p><del>Transfer to the Federal Records Center, when five (5) years old, and destroy when 20 years old.</del> <i>Destroy</i></p>		
5	<p><u>Equipment Authorization Files - Correspondence relating to the development and operation of particular types of equipment, including procedural rules, authorizations and denials of specific requests, rules violations, and requests for experimental licenses.</u></p> <p><del>Transfer to the Federal Records Center, when three (3) years old, and destroy when ten (10) years old.</del> <i>Destroy</i></p>		
6	<p><u>Contract Files - Contracts with R&amp;D contractors who perform research for the Commission. These contracts are used for reference and research purposes.</u></p> <p>Destroy when <sup>5</sup>10 years old or as administrative needs require, whichever is sooner.</p>		

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7	<p><u>Fee Files</u> - Requests for fee announcements and waivers.  <del>Transfer to the Federal Records Center upon schedule approval, destroy after twenty (20) years.</del>  <i>Destroy immediately.</i></p>		
8	<p><u>Tort Files</u> - Civil cases, denial of tort claims, vouchers for payment under Federal Tort Claim Act (Form 1145) and "Claim for Injury" (Form 95).  <del>Transfer to the Federal Records Center when three (3) years old, destroy when ten (10) years old.</del>  <i>Destroy when 5 years old.</i></p>		
9	<p><u>Lottery Files</u> - Inquiries from State lottery boards about the legality of advertising lotteries on the air.  <del>Transfer to the Federal Records Center when ten (10) years old and destroy when twenty (20) years old.</del>  <i>Destroy immediately.</i></p>		
10	<p><u>Liaison Files</u> - General correspondence with and referral letters to other agencies and items on which the Commission has coordinated on with other agencies.  <del>Transfer to the Federal Records Center when five (5) years old and destroy when twenty (20) years old.</del>  <i>Destroy when 3 years old.</i></p>		
11	<p><u>Offtrack Betting</u> - General correspondence and background material relating to public inquiries on the legality of offtrack betting. These files date back to 1971.  <del>Transfer to the Federal Records Center when ten (10) years old and destroy when twenty (20) years old.</del>  <i>Destroy when 3 years old.</i></p>		
12	<p><u>Ex Parte</u> - General inquiries and related correspondence.  <del>Transfer to the Federal Records Center when ten (10) years old and destroy when twenty (20) years old.</del>  <i>Destroy when 3 years old.</i></p>		
13	<p><u>EEO Files</u> - Correspondence containing background material, grievances, exhibits and pleadings. Cases resolved within the Commission should be destroyed four (4) years after resolution of case (GRS #1, Item 26a).   Cases resolved by the CSC or a U.S. Court are controlled by USCSC records schedules (GRS #1, 26a).   <u>Public Access Office</u></p>		
14	<p><u>Subject Files</u> - Correspondence related to general administrative policies and procedures regarding the Sunshine,</p>		

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	<p>Freedom of Information, and Privacy Acts.</p> <p><del>Transfer to the Federal Records Center when five (5) years old, and destroy when 20 years old.</del></p>		
15	<p><u>Employment Applications</u> - Attorney applications, transmitted through the FCC Personnel Office, to implement the Attorney Recruitment Program. All applications are filed alphabetically. If an offer of employment is not made within six months after the interview, the files are transferred to an inactive file, unless the applicant informs the office (approximately every 90 days) of continued interest of employment.</p> <p>Destroy inactive file when 1 year old.</p>		
16	<p><u>Summer Employment Applications</u> - Applications from first and second year law students applying for summer employment transmitted through the FCC Personnel Office and are filed alphabetically.</p> <p>Destroy when 1 year old.</p> <p><u>Research and Trial Office</u></p>		
17	<p><u>General Subject Files</u> - Correspondence concerning general inquiries made by congressmen, the general public and other government agencies on subjects such as public broadcasting, the fairness doctrine, selling of the Pentagon, hunger in America.</p> <p><del>Transfer to the Federal Records Center when five (5) years old, and destroy when ten (10) years old.</del></p>		
18	<p><u>International and Treaty Matters</u> - Case files of general correspondence and background materials dealing with such categories as Australian maritime traffic accounts, international maritime search and rescue plans, international space law, international agreements.</p> <p><del>The cases that are precedent setting (as determined by the Office Chief) shall be maintained on-site for reference and research purposes. Destroy as administrative need requires.</del></p> <p><del>The remaining case files can be transferred to the Federal Records Center when five (5) years after case closure and destroy when fifteen (15) years old.</del></p>		

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19	<p><u>Closed District Court Case Files</u> - Correspondence, pleadings, exhibits and all related data used strictly for reference and research purposes.</p> <p><i>Destroy when 5 years old or when no longer needed, whichever is sooner.</i></p> <p><del>Destroy as administrative need requires.</del></p> <p><u>Legislation Office</u></p>		
20.	<p><u>Subject Files</u> - General correspondence and background material for the preparation of Commission views, and to advise and make recommendations to the Commission. Sampling of subjects include: violence on TV, texts of decisions, comparative broadcast proceedings, liquor advertising, religious broadcasting and television rate reduction.</p> <p><i>Destroy when 5 years old.</i></p> <p><del>Destroy as administrative need requires.</del></p>		
21	<p><u>Legislative History Files</u> - Documentation on matters initiated by Congressional letter and bill requesting the Commission's comments. The majority of these files include correspondence and reference materials associated with a specific bill and the chronological process which includes copies of the House and Senate Bills and Reports, Congressional Hearings and finally the Public Laws. These files are arranged by Congressional session, dating back to the 85th Congress.</p> <p>The Congressional requests that are not significant to the Commission and therefore do not contain the correspondence relative to this legislative history process should be destroyed when four (4) years old. The remaining case files should be transferred to the Federal Records Center when ten (10) years old and destroyed when thirty <del>(30)</del><sup>20</sup> years old.</p>		
22	<p><u>Legislative Referral Files</u> - Correspondence from other agencies requesting the Commission's comments on proposed legislation that affects or in some way refers to the FCC.</p> <p><i>Destroy when 3 years old.</i></p> <p><del>Transfer to the Federal Records Center when four (4) years old, destroy when ten (10) years old.</del></p>		
23	<p><u>Legislative Proposals</u> - Correspondence relating to information on legislation that the Commission would like to have enacted.</p>		

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	<p><i>Destroy when 5 years old.</i>  <del>Transfer to the Federal Records Center when ten (10) years old and destroy when thirty (30) years old.</del></p>		
24	<p>General Reports - Copies of Congressional reports, bills, of general interest to the FCC, and those hearings that the Chairman or the Commissioners attend.</p>		
25	<p><i>Destroy when 5 years old or when no longer needed, Destroy as administrative need requires, whichever is sooner.</i>            Commission Hearing Files - These files contain all materials associated with hearings the Commissioners have participated in. Included are announcement of hearings, statements, questions and answers after the hearing, etc. Approximately six months after the hearing, all of this information is printed in a formal report.</p> <p>Destroy the background file material when ten (10) years old. Destroy the formal report when 30 years old. These files should be kept on site for reference and research information.</p> <p><u>Litigation Division</u></p>		
26	<p>Case Files - Notice of appeals, motions, court rulings, briefs, appendices, and other records concerning appellate proceedings, including action before the Supreme Court, in which the Commission is a party or possesses a public interest, or other litigation as assigned. These are filed alphabetically by appellate petitioner's name and may occupy from a single file folder to a five drawer filing cabinet for an individual case.</p> <p>After the cases have been decided or dismissed and reach the "inactive" mode, the precedent setting or important cases (decided upon by the division chief or other designated person) are reviewed to delete duplicative or unnecessary material and then forwarded to the Library for binding. The cases remain in the Library for reference/research purposes. The remainder of the cases are destroyed as administrative need requires. <i>3 years after closure or when no longer needed, whichever is sooner.</i></p>		<p><i>and may be destroyed when no longer needed for these purposes.</i></p>
27	<p>Appellate and Supreme Court Briefs - Three copies are kept for research and reference purposes.</p> <p><i>Destroy when 5 years old or when no longer needed, Destroy as administrative need requires, whichever is sooner.</i></p>		

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28	<p>Circuit Court Proceedings - These files (in 3 inch binder format) contain listings of closed case proceedings and are filed alphabetically. Maintained solely for research and reference purpose. Negligible volume.</p> <p><del>Destroy as administrative need requires.</del>  <i>Destroy when 5 years old or when no longer needed, whichever is sooner.</i></p>		