

REQUEST FOR RECORDS DISPOSAL AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO. NC1-406-85-3	
DATE RECEIVED 12-20-84	
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
11-13-86 Date	<i>Frank A. Bunker</i> Archivist of the United States

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

1. FROM (AGENCY OR ESTABLISHMENT)
Department of Transportation

2. MAJOR SUBDIVISION
Federal Highway Administration

3. MINOR SUBDIVISION
Legal Services - Field Offices

4. NAME OF PERSON WITH WHOM TO CONFER
John H. Schnackenberg

5. TEL. EXT.

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

- A Request for immediate disposal.
- B Request for disposal after a specified period of time or request for permanent retention.

C. DATE 12-2-83	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>J. H. Schnackenberg</i>	E. TITLE Chief, Organization and Management Programs Division
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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
1.	<p><u>Administrative Files:</u> Correspondence and other documents related to contract claims, environmental cases, Buy America, litigation not otherwise classified, and congressional bills, summaries and analyses.</p> <p>Disposition: Destroy when 2 years old or when no longer needed, whichever is sooner.</p>		
2.	<p><u>Civil Rights Files:</u> Correspondence, significant civil rights court decisions, background material, statistical data and other documents related to efforts to provide legal services with regard to the FHWA Civil Rights Program, Equal Opportunity Program, and Labor Compliance Program. This includes any material that pertains to cases that involve Title VI of the Civil Rights Act of 1964.</p> <p>Disposition: Transfer to the records center when 3 years old. Destroy when 6 years old.</p>		

115-107 Copy to Agency 11-14-86, emb.
12/12/86 NNF, NNA

1-16-87 NC

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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
3.	<p><u>Contract Files:</u> Correspondence, and other information concerning contract claims necessary in providing legal services in the negotiations, drafting, execution and administration of Federal or Federal-aid contracts; specific case files in direct Federal claims involving contracting officer findings and determinations and appeals to the DOT/CAB.</p> <p>Disposition: Transfer to records center when 3 years old. Destroy when 10 years old.</p>		
4.	<p><u>Debarred Bidder Files:</u> Correspondence, memoranda, official files, and other papers pertaining to the listing of debarred bidders (distributed by the U.S. Department of Labor) which is a listing of persons or firms that have breached the agreement required by 41 U.S.C. Section 1-1.601 and Executive Order 11246. The person, firms, corporations, partnerships, or associations having an interest in a firm shall not be awarded a contract until 3 years have elapsed. Files also contain material concerning unacceptability for employment in which a company is unacceptable for employment as a prime contractor or a subcontractor on a highway project requiring the approval or concurrence of FHWA.</p> <p>Disposition: Review files quarterly. (a) Destroy Debarred Bidders list when superseded. (b) Other material, destroy when 3 years old.</p>		
5.	<p><u>Environmental Legal Files:</u> Contains general correspondence, background material and legal sufficiency reviews of drafts and final environmental impact statements, as well as legal opinions on NEPA, 4(f) and related laws and regulations.</p> <p>Disposition: Transfer to records center when 3 years old. Destroy when 10 years old.</p> <p style="text-align: center;">13</p>		
6.	<p><u>Freedom of Information Files:</u> General correspondence, requests for information, copies of replies and legal precedents.</p> <p>Disposition: Destroy when 3 years old.</p>	GRS	14/16 Deviation

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7.	<p><u>Legal Precedent Files:</u> Opinions and decisions from Courts and Washington Office and Regional interpretations of law as to Federal-aid highways necessary for ready reference by Regional Counsel and staff. Record copy maintained in Washington headquarters.</p> <p>Disposition: Destroy when no longer needed.</p>		
8.	<p><u>Legislation:</u> General correspondence, copies of legislation introduced in Congress or State legislatures, copies of committee reports and enacted bills, copies of requests for interpretations and replies from Chief Counsel.</p> <p>Disposition: Destroy when no longer needed.</p>		
9.	<p><u>Litigation Files.</u> Contain pending active cases and memoranda pertaining to court cases, trials, etc. Files also contain correspondence, court papers, background material, official file copies and other general documents.</p> <p>Disposition: Transfer to records center 3 years after final disposition of case. Destroy when 8 years old. <i>after final disposition of case</i></p>		
10.	<p><u>Motor Carrier Safety Case Files:</u> Correspondence, court cases, investigations, reports on court proceedings or other actions taken against truckdrivers, and common carriers of passengers and freight pursuant to the Federal Motor Carrier Safety Regulations.</p> <p>Disposition: Transfer to records center when case is closed. Destroy when 6 years old. <i>after case is closed.</i></p>		
11.	<p><u>Right-of-Way Legal Correspondence:</u> Correspondence, legal opinions for each State in such right-of-way areas as air and sub-surface rights, condemnation, litigation, copies of reviews of State Counsel's operations, relocation assistance and outdoor advertising control.</p> <p>Disposition: Destroy when no longer needed.</p>		
12.	<p><u>Tort Files:</u> Correspondence, letters, drafts, memoranda, official files and supporting documents related to tort claims which are processed by the Regional Counsel's Office under the Federal Tort Claims Act.</p> <p>Disposition: Transfer to record center 1 year after case is closed. Destroy when 5 years old. <i>after case is closed.</i></p>		

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