

# NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: NC1-016-78-04

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 10/27/2021

## ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

Item 1/B Patent case files

Item 3 Rejected patent applications

Item 4/A Program correspondence files of the General Counsel

Item 4/B All other program correspondence files

Item 4/C Administrative correspondence files of all OGC units

Item 5/A Manual of Procedures, record copy

Item 5/B Manual of Procedures, all other copies

## SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 1/A Significant case files- Superseded by N1-016-91-001 item 1

Item 1/C All other case files- Superseded by N1-016-91-001 item 1

Item 2/A General Counsel's legal opinions, record copy- Superseded by DAA-0016-2016-0001 items 0003 and 0004

Item 2/B General Counsel's legal opinions, all other copies- Superseded by DAA-0016-2016-0001 items 0003 and 0004

**REQUEST FOR RECORDS DISPOSITION AUTHORITY**  
(See Instructions on reverse)

LEAVE BLANK	
JOB NO	NC 1 16 78 4
DATE RECEIVED	5 APR 1978
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.	
4-14-78	<i>James P. O'Neil</i> Date <i>acting</i> Archivist of the United States

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

1. FROM (AGENCY OR ESTABLISHMENT)  
United States Department of Agriculture

2. MAJOR SUBDIVISION  
Office of the General Counsel

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER  
Deborah Vita, Administrative Officer

5. TEL EXT  
447-2571

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 3 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 3-31-78	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>Henry A. Arsed</i>	E. TITLE <i>Acting Chief Paperwork Management Branch O &amp; F</i>
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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>THIS COMPREHENSIVE RECORDS DISPOSITION SCHEDULE SUPERSEDES ALL PREVIOUSLY APPROVED RECORDS SCHEDULES FOR THE OFFICE OF THE GENERAL COUNSEL.</p> <p><u>CASE FILES</u></p> <p>All case files are arranged alphabetically by subject area, thereunder by case number.</p> <p>All OGC case files consisting of memoranda, correspondence, decisions, and background papers. Includes, but is not limited to, cases involving litigation, hearings, investigations, loans, claims, condemnations, eminent domain, referrals, contracts, agreements and allotments.</p> <p>a. Significant case files. Historically significant case files are those selected in accordance with the following criteria:</p> <p>Cases that result in court decisions that significantly interpret legislation and regulations.</p>	NC 1-16-77-3(1)	10 items

*105-107 sent to agency, all FICE's - NMF - 4/25/78 to HCW - NMB*

**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
2.	<p>Cases that are heard by the appellate courts or the U.S. Supreme Court.</p> <p>Cases that are deemed to be significant for investigative or litigation procedures or other important precedent. These may include contested and uncontested cases, as well as cases of regional or local importance.</p> <p>Cases that gain national attention because of considerable congressional or public interest.</p> <p>Cases that show possible conflicts of interest.</p> <p><u>PERMANENT.</u> Offer to the National Archives and Records Service (NARS) twenty-five (25) years after the case is closed. (Estimated quantity; five cu. ft. per year)</p> <p>b. Patent case files. Transfer to the Federal Archives and Records Center (FARC) five (5) years after case file is closed. Destroy when twenty (20) years old. (One cu. ft. per year)</p> <p>c. All other case files. Destroy five (5) years after case is closed. (Two cu. ft. per year)</p> <p><u>GENERAL COUNSEL'S LEGAL OPINIONS</u></p> <p>Arranged chronologically. Complete set of legal opinions signed by the General Counsel.</p> <p>a. Record copy.</p> <p><u>PERMANENT.</u> Offer to NARS when ten (10) years old. (1/3 cu. ft. year)</p> <p>b. All other copies. Destroy when obsolete or superseded.</p>	(2)	
3.	<p><u>REJECTED PATENT APPLICATIONS</u></p> <p>Patent applications submitted by USDA but rejected by the US Patent Office. Transfer to FARC five (5) years after rejection. Destroy eighteen (18) years after rejection. (One cu. ft. per year)</p>	(4)	

**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
4.	<p><u>GENERAL CORRESPONDENCE FILES</u></p> <p>a. Program correspondence files of the General Counsel. Arranged alphabetically by subject. Correspondence directly relating to major functions and programs of USDA.</p> <p><u>PERMANENT.</u> Offer to NARS when ten (10) years old. (Three cu. ft. per year)</p> <p>b. All other program correspondence files. Destroy when ten (10) years old or when no longer needed for reference. (Two cu. ft. per year)</p> <p>c. Administrative correspondence files of all OGC units. Routine facilitative correspondence. Includes such subjects as arrangements for meetings and conferences, relationships with professional organizations, personnel actions, and similar housekeeping matters. Destroy when one (1) year old or when no longer needed for reference.</p>	(5)	
5.	<p><u>MANUAL OF PROCEDURES</u></p> <p>A published manual of the policies and procedures of the Office of the General Counsel.</p> <p>a. Record copy of basic manual and each revision.</p> <p><u>PERMANENT.</u> Offer to NARS when ten (10) years old.</p> <p>b. All other copies are to be destroyed when obsolete or superseded.</p>	(3)	