

**U.S. Department of Commerce  
International Trade Administration  
International Economic Policy  
Office of Canada**

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FTA Binational Secretariat

This is a newly created Records Control Schedule for this particular office.

The FTA Binational Secretariat administers a procedure under Chapter 19 of the U.S.-Canada Free Trade Agreement (FTA), which offers review by binational panels of antidumping (AD) and countervailing duty (CVD) final determinations, administrative reviews, scope determinations, and redeterminations made by Revenue Canada and the U.S. Import Administration, and as an alternative process to judicial review by the Federal Court of Appeals in Canadian cases, and to judicial review by the Court of International Trade in U.S. cases. In addition, it serves as an alternative to injury determinations in AD and CVD cases made by the Canadian International Trade Tribunal and the U.S. International Trade Commission. The Binational Secretariat also administers binational panel reviews of general disputes concerning the FTA under Chapter 18 of the Agreement.

The Binational Secretariat provides administrative support to the panels and maintains a Registry but has no substantive role in panel deliberations.

1. Division Subject File - documentation of an administrative nature related to the general operation of the Division. Subjects include budgets, personnel, expenditures, etc. These files are based on the State Department Filing System.

Start a new file each year and destroy in office when 3 years old.

FTA Case Files - Official and public case documents, briefs, panel order and administrative records filed with the Secretariat by case participants and panelists. Some of these documents are proprietary in nature. These files are docketed and filed chronologically.

Destroy proprietary 30 days after close of case. Cutoff files annually and destroy when 3 years old.

Final Panel Decisions - copies of all final case decisions filed by the panelists in FTA cases. These files are filed by case number.

- a. Record copy. Permanent: Cutoff files every 5 calendar years and transfer to WNRC. Transfer to NARA when 20 years old.
  - b. Reference Copies. Destroy when no longer needed for current agency business.
4. Individual Panel Files - contain disclosure statements, contract, and background

information on individual roster members. Some contain information about previous payments to members that have served on panels. These files are arranged alphabetically by surname.

Destroy 3 years after close of contract.