

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

LEAVE BLANK	
JOB NO NC1 47 78 1	
DATE RECEIVED 9 OCT 1977	
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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10	
<i>11-14-77</i> Date	<i>James B. Roads</i> Archivist of the United States

1 item

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

1. FROM (AGENCY OR ESTABLISHMENT)
Department of Health, Education and Welfare

2. MAJOR SUBDIVISION
Social Security Administration

3. MINOR SUBDIVISION
Bureau of Hearings and Appeals

4. NAME OF PERSON WITH WHOM TO CONFER
George S. Yamamura

5. TEL EXT
130-45770

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 2 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 <i>9/28/77</i>	D. SIGNATURE OF AGENCY REPRESENTATIVE <i>Russell O. Hess</i>	E. TITLE <i>Assistant Bureau Director/Administration</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
	<p><u>BHA Tape Cassette Records</u></p> <p>These are verbatim recordings of hearings held by administrative law judges (ALJ) of the Bureau of Hearings and Appeals (BHA). The hearings result when a claimant for social security benefits appeals SSA's initial decision to deny him/her such benefits. The tape cassette records are used by the ALJ, along with documentary materials, in deciding whether to grant or deny benefits to the claimant. The records constitute legal evidence upon which the ALJ's decision is based. They are retained for the following reasons:</p> <p>1. In the event that the ALJ denies benefits to the claimant, the claimant may request review of the ALJ's decision by BHA's Appeals Council. The tape cassette records are retained for review by the Appeals Council so that they can determine whether the ALJ's decision was justified by the evidence.</p>		

sent to agency - NNF - XCV - 11/5/77

1 item

INSTRUCTIONS

General Instructions:

Use Standard Form 115 (obtainable from supply depots of the Federal Supply Service, General Services Administration) and the continuation sheet Standard Form 115a (obtainable from the Records Disposition Division, Office of Federal Records Centers, National Archives and Records Service, Washington, D.C. 20408) to obtain authority to dispose of records or to request permanent retention of records. Detach the fifth copy from the set and keep as your reference copy. Submit the first four copies of the set to the National Archives and Records Service. One copy will be returned to the agency as notification of items that are authorized for disposal. Items withdrawn or not approved for disposal will be so marked. Each SF 115, requiring Comptroller General concurrence must be accompanied by a notification of approval from GAO.

Specific Instructions:

Entries 1, 2, and 3 should show what agency has custody of the records that are identified on the form, and should contain the name of the department or independent agency, and its major and minor subdivisions.

Entries 4 and 5 should help identify and locate the person to whom inquiries regarding the records should be directed.

Entry 6 should be signed and dated on the four copies by the agency representative. The number of pages involved in the request should be inserted.

Box A should be checked if the records may be disposed of immediately. Box B should be checked if continuing disposal authority is requested or if permanent retention is requested. Only one box may be checked.

Entry 7 should contain the numbers of the items of records identified on the form in sequence, i.e., 1, 2, 3, 4, etc.

Entry 8 should show what records are proposed for disposal.

Center headings should indicate what office's records are involved if all records described on the form are not those of the same office or if they are records created by another office or agency.

An identification should be provided of the types of records involved if they are other than textual records, for example, if they are photographic records, sound recordings, or cartographic records.

An itemization and accurate identification should be provided of the series of records that are proposed for disposal or retention. Each series should comprise the largest practical grouping of separately organized and logically related materials that can be treated as a single unit for purposes of disposal. Component parts of a series may be listed separately if numbered consecutively as 1a, 1b, etc., under the general series entry.

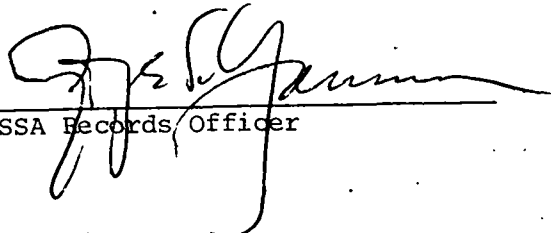
A statement should be provided showing when disposal is to be made of the records, thus:

If immediate disposal is requested of past accumulations of records, the inclusive dates during which the records were produced should be stated.

If continuing disposal is requested for records that have accumulated or will continue to accumulate, the retention period may be expressed in terms of years, months, etc., or in terms of future actions or events. A future action or event that is to determine the retention period must be objective and definite. If disposal of the records is contingent upon their being microfilmed, or otherwise reproduced or recorded on machine readable media, the retention period should read: "Until ascertained that reproduced copies or recordings have been made in accordance with GSA regulations and are adequate substitutes for the paper records." Also, the provisions of FPMR § 101-11.5 should be observed.

Entry 9 should be checked if samples are submitted for an item. However, samples of the records are not required unless they are requested by the NARS appraiser. If an item has been previously submitted, the relevant job and item number should be entered.

Entry 10 should be left blank.


SSA Records Officer

Request for Records Disposition Authority - Continuation

JOB NO

PAGE OF

2

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	<p>2. In the event that the Appeals Council denies benefits to the claimant, the claimant may file a civil action against the agency in the appropriate Federal district court. In such instances, a written transcript is prepared from the tape cassette record and forwarded to the court for review along with the documentary evidence relating to the case. This material constitutes the evidence upon which the agency defends the case in court.</p> <p>3. Following final SSA or court action on the case, the case may be reopened at <u>any later time</u> for one of several reasons enumerated in 20 C.F.R. 404.957. The tape cassette records are retained for review in the event that the case is subsequently reopened.</p> <p>Approximately 250,000 tape cassette records are created annually. The estimated useful lifespan of the cassette is 10 years. After this period of time, the tape quality deteriorates, making accurate retrieval of the taped information impossible.</p> <p><u>Disposition:</u></p> <p>1. Forward hearing cassettes for all decisions to BHA central office (Arlington, Virginia) after case decision.</p> <p>2. Transfer all cassettes to ^{WNRC} servicing Federal Records Center (FRC) 12 months after last action on the case.</p> <p>3. Destroy after 10 years' retention in the FRC. ^{WNRC}</p>		