

REQUEST FOR RECORDS DISPOSITION AUTHORITY
(See Instructions on reverse)

TO: NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR)
WASHINGTON, DC 20408

FROM (Agency or establishment)
Department of Commerce

2. MAJOR SUBDIVISION
Bureau of Industry and Security

3. MINOR SUBDIVISION
Office of Strategic Trade and Foreign Policy Controls

4. NAME OF PERSON WITH WHOM TO CONFER
Petrina Bean

5. TELEPHONE
(202) 482 - 2287

LEAVE BLANK (NARA use only)

JOB NUMBER
71-476-02-4

DATE RECEIVED
8-13-02

NOTIFICATION TO AGENCY

In accordance with the provisions of 44 U.S.C. 3303a the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.

DATE
2-10-03

ARCHIVIST OF THE UNITED STATES
John W. Paul

6. AGENCY CERTIFICATION

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached 5 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified; and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,

is not required; is attached; or has been requested.

DATE
8-6-2

SIGNATURE OF AGENCY REPRESENTATIVE
Petrina Bean

TITLE
Records Officer

| 7. ITEM NO. | 8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION | 9. GRS OR SUPERSEDED JOB CITATION | 10. ACTION TAKEN (NARA USE ONLY) |
|-------------|---|-----------------------------------|----------------------------------|
|-------------|---|-----------------------------------|----------------------------------|

The Office of Strategic Trade and Foreign Policy Controls (STFPC) *NSTTC* is composed of three divisions; Strategic Trade; Foreign Policy; and Information Technology. STFPC represents the Department in international negotiations on export controls and control list development, with particular responsibility for the Wassenaar Arrangement negotiations. The office implements multilateral export controls for national security reasons under the Wassenaar Arrangement List of Dual-Use Goods and Technologies to determine whether modifications to the list are required. STFPC develops and implements overall policies for the licensing of exports of encryption and high performance computers and is also responsible for the bilateral agreement with Japan on export controls for high-performance computers. In addition, the office implements U.S. foreign policy controls relating to human rights, crime control, antiterrorism, and regional stability. STFPC is responsible for licensing and policy related to the countries (Iran, Iraq, Syria, North Korea, Cuba, Sudan, and Libya) on the Secretary of State's Terrorism List as well as other special destinations under embargo or sanction. STFPC is responsible for all policy actions, export licenses, commodity classifications, and advisory opinions for these areas, and represents the Department at the Operating Committee and Advisory Committee on Export Policy meetings.

ce nwmnd, nwmwa Agency

Attachment to Job No. N1-476-02-4

NATIONAL SECURITY + TECHNOLOGY TRANSFER

OFFICE OF STRATEGIC TRADE AND FOREIGN POLICY CONTROLS

1. COCOM AND WASSENAAR LIST REVIEW FILE - These are papers containing policy discussions and U.S. objectives behind each review of the International List (IL) of COCOM and the Wassenaar International List of the Wassenaar Arrangement. Also included are the reasons for positions adopted by the U.S. and formal multilaterally agreed lists of dual-use goods and technologies.

Disposition: PERMANENT - Cut off files at the end of the calendar year. Retire to Washington National Records Center (WNRC) 1 year after cut off. Transfer to NARA 20 years after cut off.

2. THE MILITARY CRITICAL TECHNOLOGIES LIST (MCTL) - This list assures that national security based export controls are limited to goods and technologies that are militarily critical. Developed by the Department of Defense (DoD), the MCTL is a technical reference and source documents to support the development of export control policy and proposals as well as the review of export applications by DoD.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Destroy 3 years after cut off.

3. COMMODITY CONTROL LIST (CCL) AND INFORMATION REQUEST CASE FILES - These case files include responses to exporters' requests for commodity classifications and for requests for information concerning the applicability of national security export license requirements to a proposed export transaction or series of transactions (advisory opinions). These records include correspondence, descriptive literature, brochures and technical papers or specifications enable STCD to determine the correct CCL number.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Destroy 7 years after cut off.

4. ADVICE ON SEIZURES AND DETENTIONS - These are records of requests from and replies to the U.S. Customs Service and the Office of Export Enforcement for classification of commodities seized or detained.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Destroy 7 years after cut off.

5. COMMODITY JURISDICTION FILES - These are records of correspondence referred to STCD by the Office of Munitions Control of the Department of State, to determine which agency should take licensing jurisdiction on an exporter's request to export a particular item. Included are copies of correspondence from potential exporters, State Department

referral letters, STCD comments, commodity specifications and company brochures.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Destroy 7 years after cut off.

6. SPECIAL PROJECTS SUBJECT FILES - These are records of a variety of special projects engaged in by STCD. Among these are agendas of meetings from the Seniors Technical Advisory Committee (STAC).

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Retire to WNRC 5 years after cut off. Destroy 10 years after cut off.

7. WORKING PAPERS - These files are maintained by individual staff members and consist of background materials, work papers, extra copies, drafts and technical reference materials pertaining to particular staff assignments given to individual members.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Destroy 3 years after cut off.

DIRECTOR, INFORMATION TECHNOLOGY CONTROLS DIVISION

8. ENCRYPTION FILES - These records of communications with other government agencies and industry, and the Interagency Working Group on Cryptography developed by the Director relating to encryption policy control matters, and application of existing legislation and regulations. Many of these concern major export policy issues consisting of information requested by top level authorities in Commerce and other agencies.

Disposition: PERMANENT - Cut off files after the end of the calendar year. Retire to WNRC 1 year after cut off. Transfer to NARA 20 years after cut off.

9. HIGH PERFORMANCE COMPUTER FILES - These are records of communications with other government agencies, industry, and with the divisions of STFPC developed by the Director relating to high performance computer policy control matters, and application of existing legislation and regulations. Many of these concern major export policy issues consisting of information requested by top level authorities in Commerce and other agencies.

Disposition: PERMANENT - Cut off files at the end of the calendar year. Retire to WNRC 3 years after cut off. Transfer to NARA 20 years after cut off.

10. CONTROLLED CORRESPONDENCE AND TASKER FILES - These are records of request for information or clarification of policy from the public as well as advisory opinions submitted in accordance with Section 750.2(b) of the EAR.

Requests for information may have been submitted in various ways ranging from an e-mail, fax, or letter.

Disposition: PERMANENT - Cut off files at the end of the calendar year. Retire to WNRC 3 years after cut off. Transfer to NARA 20 years after cut off.

11. LITIGATION/APPEAL FILES - These are copies of case files pending against the Department involving encryption or high performance computers. The files include industry's appeals of rejected export license applications or disputed classification requests.

Disposition: PERMANENT - Cut off files at the end of the calendar year. Retire to WNRC 3 years after cut off. Transfer to NARA 20 years after cut off.

12. TECHNICAL ADVISORY COMMITTEE FILES - Copies of documents which have been kept from meetings distributed at and from the Information Security TAC (ISTAC), although the Federal Designated Officer is located at the office director staff level.

Disposition: TEMPORARY - Cut off files after the end of the calendar year. Destroy 7 years after cut off.

13. PRESIDENT'S EXPORT COUNCIL (PEC) SUBCOMMITTEE ON ENCRYPTION (PECSENC) - Copies of meeting minutes, agendas, papers/presentations and other items distributed at each meeting. This also includes e-mail and written correspondence; subject files; and PECSENC formal letters/recommendations.

Disposition: PERMANENT - Cut off files at the end of the calendar year. Retire to WNRC 3 years after cut off. Transfer to NARA 20 years after cut off.

14. ENCRYPTION RECORD-KEEPING REQUIREMENTS - Exporters of encryption products are required to send to the government specific information on their export transactions. These records are required every six months.

Disposition: PERMANENT - Cut off files at the end of the calendar year. Retire to WNRC 3 years after cut off. Transfer to NARA 20 years after cut off.

15. ENC RETAIL DATABASE - Products are those satisfying the criteria of Section 740.17(a)(3) of the EAR. A database of products approved is maintained by an ITCD analyst. This database is maintained in Microsoft Access and in printed form.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Destroy 7 years after cut off.

16. COUNTRY FILES - These papers containing policy discussions of export controls and export licensing decisions pertaining to a

particular nation. They are maintained by country name and encompass all the analysis activity performed on the end-destination, including briefing papers, notes, background information, and publications.

Disposition: PERMANENT - Cut off files after the end of the calendar year. Retire to WNRC 7 years after cut off. Transfer to NARA 20 years after cut off.

17. CABLES - These are messages pertaining to a country or project that are received from U.S. embassies overseas as well as domestic sources. Analysts routinely keep copies of pertinent cables in their files in order to track developments on a particular area of interest.

Disposition: TEMPORARY - Cut off files after the end of the calendar year. Destroy 3 years after cut off.

18. FOREIGN POLICY REPORT/ANNUAL REPORT FILES - Contains the department's congressionally-mandated annual submission on foreign policy export control changes as well as the office's submission to the BXA Annual Report to Congress. Also, reports on individual control changes are produced during the year whenever regulations are implemented to create a new foreign policy control.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Retire to WNRC 3 years after cut off. Destroy 10 years after cut off.

19. SUBJECT FILES - These are records of a variety of special projects engaged in by FPD. Among these are issues related to the Chemical Weapons Convention, crime control legislation, small arms nonproliferation issues, and international sanctions. Most files contain interagency documents and memos regarding various initiatives.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Retire to WNRC 7 years after cut off. Destroy 20 years after cut off.

20. CHRONOLOGICAL FILES - These are comprehensively maintained copies of all documentation generated by FPD, grouped according to the date produced.

Disposition: TEMPORARY - Cut off files after the end of the calendar year. Destroy 3 years after cut off.

21. LICENSING CASE FILES - These are records associated with individual export licensing cases worked on by licensing staff. Often these ~~tickler~~ files will be maintained after the final licensing decision in case a company files an appeal, or in order to assist the licensing officer with a similar case in the future. Bureau policy is to move licensing files into ECASS as

soon as possible after final license adjudication. This is performed internally by having the EA Operations Branch reduce the paper files to microfiche.

Disposition: TEMPORARY - Cut off files at the end of the calendar year. Migrate files to the Export Control Automated Support System (ECASS) 1 year after cut off. Destroy paper copies 1 year after migration to ECASS. Note: Follow NARA Authority N1-476-91-1 for ECASS.

22. ELECTRONIC RECORDS (E-MAIL AND WORD PROCESSING) *Records created using electronic mail and word processing applications.*

Disposition: TEMPORARY - Destroy/delete within 180 days after the recordkeeping copy has been produced.

