

build on the work done by this Work Group.

Electronic Records Work Group Products for Comment

In addition to this introductory notice, this separate part contains the following Work Group products for which we seek your comments:

1. Appendix C—Proposal for Developing Agency Records Schedules That Include Electronic Source Records Generated With Office Automation Applications.

Appendix C addresses the first Work Group recommendation, that agencies must schedule their program and unique administrative records in all formats. It proposes guidance that NARA should issue on the revision of existing records disposition schedules to provide disposition authority for records created using office automation applications, which were covered by the 1995 GRS 20, items 13, 14 and 15. It outlines what agencies must do to schedule these records and how NARA will provide the public the opportunity to submit comments on the schedules as required by 44 U.S.C. 3303a.

2. Appendix D—Proposal to Revise the Entire GRS To Cover All Formats of the Administrative Records Included Therein.

Appendix D addresses the second Work Group recommendation, that NARA modify the GRS to authorize the destruction of copies of administrative records covered by those GRS that are not needed for recordkeeping purposes after a recordkeeping copy has been produced. This appendix proposes a new item to be added to General Records Schedules 1–16, 18, and 23 to provide the disposition authority previously provided by GRS 20, items 13, 14 and 15.

3. Appendix E—Proposed General Records Schedule, Information Technology Records

Appendix E addresses the Work Group's third recommendation. It proposes a new General Records Schedule to provide disposition authorities for certain specified temporary records specifically related to systems management and operations. The new GRS would not cover temporary records documenting

development and management of agency systems for the agency's mission-related functions.

4. Draft Electronic Records Work Group Report to the Archivist of the United States

This notice contains the text of the Work Group's draft report to the Archivist, which is due to be submitted to the Archivist with the appendixes in September, and Appendix A. The draft report published here has been modified slightly from the June 15 version posted on the NARA GRS 20 web page (<http://www.nara.gov/records/grs20/>). The final report will reflect further changes that the Work Group makes as a result of the comments received, and will contain an Appendix B that discusses the comments received on the draft report and other work products.

Availability of Reference Sources Cited

The notice documents reference various materials that may be useful in your review of the documents. The following table shows where these documents are available for review on NARA's web site or in this separate part:

Cited document	Availability	Where cited
General Records Schedules 1–23, including GRS 20 (1995 edition) ...	http://ardor.nara.gov/grs/index.html	This notice; Appendix D; Draft Report.
NARA Bulletin 98–02	http://www.nara.gov/records/grs20/bltn-grs.html OR Appendix C.	Appendix C; Draft Report.
NWM 06–98	Appendix C	Appendix C.
1995 Agency Recordkeeping Requirements: A Management Guide	gopher://gopher.nara.gov:70/00/managers/federal/publicat/ade-quacy.txt .	Draft Report.

Questions and Issues

In each of the following notices, we have identified specific questions and issues that we would like you to consider and comment on as part of your review of those documents.

Future Steps

The Work Group must present its final report and implementation strategy to the Archivist of the United States in September. Consequently, we may not be able to consider any comments received after the comment deadline, August 20, 1998. The Work Group will review all comments received on the report and appendixes during the June **Federal Register** comment period before preparing its final report.

The Work Group intends to submit its report to the Archivist in time for his review and action on it by September 30. The Archivist will communicate his decisions to Federal agencies and the public.

Dated: July 16, 1998.

Lewis J. Bellardo,

Deputy Archivist of the United States.

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Electronic Records Work Group Draft Report; Appendix C

AGENCY: National Archives and Records Administration (NARA).

ACTION: Request for comment.

SUMMARY: This notice contains the Electronic Records Work Group's proposed strategy for Federal agencies to implement the Work Group's proposed recommendation that agencies must schedule their program and unique administrative records in all formats. It proposes guidance that NARA should issue on the revision of existing records disposition schedules

to provide disposition authority for electronic source records created using office automation applications, which were covered by the 1995 General Records Schedule (GRS) 20, items 13, 14 and 15. Your comments are requested on the proposed Appendix C which follows this notice and in response to the questions posed in the **SUPPLEMENTARY INFORMATION.**

DATES: Comments must be received on or before August 20, 1998.

ADDRESSES: Comments may be sent electronically to the e-mail address grs20@arch2.nara.gov. We ask that lengthy attachments be sent in ASCII, WordPerfect 5.1/5.2, or MS Word 6.0 format. If you do not have access to e-mail, comments may be mailed to Electronic Records Work Group (NPOL), Room 4100, 8601 Adelphi Rd., College Park, MD 20740–6001, or faxed to 301–713–7270.

FOR FURTHER INFORMATION CONTACT:
Michael Miller at 301-713-7110, ext. 229.

SUPPLEMENTARY INFORMATION:

The proposed Appendix C provides guidance for scheduling electronic source records (the electronic record that resides on an agency's electronic mail, word processing, or other office automation systems) formerly authorized for disposal under GRS 20. The electronic source documents addressed in this appendix are those that correspond to program records and administrative records not covered in the GRS. It is not meant to provide guidance for scheduling records in electronic recordkeeping systems and other records not disposable under GRS 20. Instructions for scheduling those records are provided in other NARA guidance. It is also not meant to provide guidance on electronic recordkeeping, which will be issued separately. The scheduling procedures described in the document should be conducted in the context of the agency's current records management program.

This document provides three models for scheduling electronic source records. While the models vary in format, they all accomplish the same result. Model 1 requires that agencies add a disposition for the electronic source records formerly covered by GRS 20 to every series in their manual or records schedules. This model is most appropriate for agencies that expect the retention of these records to vary considerably from series to series because they have different business needs for the records and their technology base allows them to implement the dispositions. The format of Model 2 allows the agency to obtain the approval for the dispositions without having to specify each series, except those for which the agency is requesting disposition instructions that deviate from the norm. Model 2 is appropriate for agencies that have a business need to maintain a few electronic source records for a different period of time than the majority of such records. Model 3 is appropriate for agencies that have neither the business need nor the technical capability to maintain the electronic source records for varying periods of time and have decided on a single disposition for the records.

No matter which format is chosen for submitting the schedules, agencies are expected to conduct a series-based analysis of their business needs and review their technical capabilities and to provide NARA with that information. NARA will also review the submissions

on a series basis. Although Model 3, and to some extent Model 2, do not require separate disposition instructions for each agency series, please note that, like Model 1:

(1) Models 2 and 3, require that agencies analyze their recordkeeping needs and practices, including their needs for the electronic copies.

(2) Models 2 and 3 require that agencies provide NARA with information about their technical capabilities and other recordkeeping policies so NARA can assess on an agency by agency (and in some cases component by component) basis whether the agency is capturing the necessary information from electronically generated records in the records placed in an agency's recordkeeping system and whether the agency's justification for the early disposal of the electronic source records is supported by the state of the agency's technical capabilities.

(3) To use Model 2 or 3 agencies must identify what existing records the new disposition(s) will affect. This will allow NARA to determine whether the dispositions are appropriate. If there is no existing schedule for a body of records, the agency must schedule all of the records in all media following the guidance in NARA Bulletin 98-02.

Also, please note that no matter which model is used, the schedule will be published in the **Federal Register** for comment. The **Federal Register** notice will reference the existing schedules that are affected so that the public has sufficient information to comment.

With these parameters in mind, we also ask your comments on the following questions:

C1. Are the instructions for conducting the analysis of recordkeeping needs and capabilities sufficiently clear?

C2. Are the instructions for scheduling the records sufficiently clear?

C3. This document proposes a deadline of 180 days for agencies to submit schedules (SF 115s) to cover their electronic source records or, if the agency cannot meet that deadline, a deadline of 120 days for submitting a plan that sets milestones for accomplishing the scheduling effort. Are these appropriate time frames?

C4. This document includes a questionnaire concerning the systems used by an agency, its technical capabilities for recordkeeping, and the administrative controls used by the agency. Does the questionnaire ask the right questions to permit NARA to appraise the electronic source records?

Should any questions be added or dropped?

C5. The scheduling process described in Appendix C will allow NARA to assess proposed retentions for the electronic source records based on the agency's internal records management policy, current recordkeeping systems and currently installed technology. However, technology changes rapidly and changes in technology will affect recordkeeping. Currently agencies are required to schedule all "records of new programs and of programs that are reorganized or otherwise changed in a way that results in the creation of new or different records within 1 year of creation" (36 CFR 1228.26(a)(2) and 1234.32(a)). Agencies are also required to review and update their schedules annually (36 CFR 1228.50(d)). Are these requirements appropriate in the current technological environment? If not, what process(es) should be instituted to ensure that as technology changes, agencies and NARA address the issue of whether the retention requirements, and in the case of permanent records, the transfer medium, should be changed?

Dated: July 16, 1998.

Lewis J. Bellardo,

Deputy Archivist of the United States.

Appendix C: Proposal for Developing Records Schedules That Include Office Automation Records

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Part I: Questionnaire To Be Answered by Agencies for Each Electronic Source Records Disposition Request (SF 115)

Part II: NARA Bulletin 98-02, Disposition of Electronic Records

Part III: NWM 06-98, Memorandum to Agency Records Officers and Information Management Officials

Executive Summary

The Electronic Records Work Group proposes that NARA issue guidance to agencies on the revision of existing records disposition schedules to provide disposition authority for electronic source records created using office automation applications (e-mail, word processing, spreadsheet and similar applications) which were covered by the 1995 General Records Schedule (GRS) 20. This proposal provides guidance for

the submission of schedules and an overview of the NARA review and approval process.

Under this proposal, agencies will be offered two alternatives. The first alternative requires the agency to submit, within 180 days, a complete scheduling package to cover the electronic source records of its program and agency-specific administrative records created using e-mail, word processing, or other office automation applications which are not covered by General Records Schedules. If an agency is unable to meet this deadline, it must, within 120 days, submit a planning package that includes a project plan with milestones for reviewing the agency's current schedules and submitting to NARA revised schedules for electronic source records. In both cases, agencies ultimately must conduct a series-based analysis of their electronic source records and NARA will conduct a series-based review of the proposed disposition authorities. The public will have the opportunity to comment on all proposed dispositions for the electronic source records.

The Work Group proposes that, as part of its implementation of this report, the Archivist issue a NARA bulletin to agencies that would contain the requirements that follow, and provide no-cost training on implementing the requirements.

Scope

Agencies create a variety of records in connection with the use of computers and related communications systems. They create records about information technology, such as records about the development, operation, maintenance and support of computer systems. In the course of using information technology, they create certain types of records that are necessary for effective use of the technology, such as source code for computer programs, test data files, and backup files, among others. The proposed new General Records Schedule for information technology records (Appendix E) will cover common administrative records in these two categories: records about information technology and records necessary for the effective use of information technology.

Agencies also make or receive electronic records using information technology in carrying out any agency program and administrative activity. From a technical perspective, there are two distinct contexts in which agencies create such electronic records. The first context is that of a specific information system or application system. An information or application system is a

specific application of information technology in support of a program or administrative function. The design of an application system includes the specification of what types of information will be captured in the system and how they will be organized. Thus, the application system design includes the definition of the records and series of records which will be created and maintained in the system. An information or application system involves the creation, manipulation, retention and disposition of records of the function which it supports. The instructions in this appendix do not apply to scheduling these systems. Each agency should schedule all of the records series retained within each application system on a comprehensive basis.

The second technical context is end-user computing. In today's environment, most Federal employees are provided with generic office automation tools, such as word processing and e-mail, which they use to generate electronic records related to their work, regardless of the nature of the work. In contrast to an application system, where the records fall into one series or a group of related series, end users can and do create a variety of records using office automation systems. A single user may create word processing files and send and receive e-mail messages related to both program and administrative activities. These records may belong in files that are completely unrelated, such as the employee's personnel folder and agency files on policy development. Records created using office automation software must be filed in electronic or paper recordkeeping systems, which agencies are required to schedule under current NARA regulations (36 CFR 1228.26). In either case, the agency needs to provide for the authorized disposition of the copies remaining on the original systems outside of the recordkeeping system. These records are termed "electronic source records" because they are electronic records which serve as the sources of the records filed in the agency's recordkeeping system.

NARA will provide, in the GRS, Government wide authorization for the disposition of electronic source records used to create the types of records covered by GRS 1-16, 18, and 23. Agencies must obtain authorization for disposition of all other electronic source records by submitting schedules (SF 115s) to NARA. This proposal describes the development, submission and approval of such schedules.

All agencies must ensure that all their records are scheduled. Consequently,

each agency (or components of agencies that have independent records management programs and normally submit records schedules to NARA for approval) must ensure that its records schedules cover those electronic records not covered by the GRS that were created (or received) on e-mail, word processing, spreadsheet, graphic presentation and other office automation software. Agencies with schedules that do not include disposition instructions for such electronic source records must revise their schedules to do so and submit them to NARA for approval. To accomplish this effectively, agencies will have to conduct an analysis of the coverage of their current schedules, their current and foreseeable business¹ needs, and their current and near-term technological capabilities.

The Work Group recognizes that some agencies currently do not have a compelling business need, the resources, or the technology infrastructure to support electronic recordkeeping. Although Federal agencies are required to manage their records in all media in accordance with their business needs, for many offices that currently means maintaining their recordkeeping subject or correspondence files on paper or microform rather than electronically. At the same time, agencies are moving at varying rates toward automating their business processes to meet their own needs and those of their customers. Automated processes generate electronic records, and agencies will need to ensure that all electronic records are properly scheduled.

Agencies are encouraged to submit their revised schedules as soon as practicable; however, the Work Group recognizes that there is a wide variation in status of approved schedules, current and foreseeable recordkeeping needs, and current and planned technological capabilities across the Federal government. The Work Group also recognizes the different sizes and missions of agencies.

Description of Proposal

The Work Group proposes that in implementing this report, the Archivist issue a NARA Bulletin to provide agencies with guidance on how to develop and justify schedules for electronic source records. This appendix contains the language that the

¹ The term "business needs" as used in this document refers to an agency's need to conduct its business, maintain a record of its essential activities and decisions for its own use, support oversight and audit of those activities, and permit appropriate public access.

Work Group proposes for the Bulletin. An agency should choose whichever of the following alternatives best meets its needs for managing this scheduling effort:

(A) Scheduling Electronic Source Records

Submit a completed scheduling package (described below) to cover electronic source records for program and agency-specific (not covered by the GRS) administrative records within 180 days of the date of the NARA Bulletin.

Agencies may follow any of the three models presented here for their proposed schedules:

- *Model 1*—an agency would add an appropriate disposition for the electronic source records formerly covered by GRS 20 to every disposition instruction in its manual or records schedules.
- *Model 2*—an agency would schedule the electronic source records for selected individual series and combine other series under one disposition instruction. The format of Model 2 allows the agency to obtain the approval for the dispositions without having to physically annotate the dispositions of each series of records.
- *Model 3*—an agency would provide for the disposition of all electronic source records under one schedule item.

Regardless of which model is used, agencies must submit background information and justifications (see questionnaire described in Part I) to enable NARA to analyze and review the submissions effectively.

(B) Submit Plan for Scheduling Electronic Source Records

If an agency cannot determine which model is most appropriate or prepare the necessary submissions within 180 days, the agency may, within 120 days, submit a plan to NARA for the completion of the scheduling. This plan must include the following three elements:

- A statement from the agency head (or head of the agency component that will submit the schedule) that schedule requests cannot be completed within 180 days and a commitment to schedule the agency's electronic source records in accordance with a plan proposed by the agency and approved by NARA.
- A plan (described below) covering a period not to exceed two years, for the submission of proposed schedules for all electronic source records, with milestones and partial schedule submissions provided at pre-determined intervals.
- A schedule (SF 115) requesting an interim disposition authority for a

period not to exceed two years for all electronic source records.

Although the approval of requests for interim disposition authority will be expedited by NARA, regulatory requirements for publication and comment periods in the **Federal Register** for all requests for the destruction of temporary records will require at least 90 days.

Agency Action

Selection of Model or Plan

Each agency must determine, after reviewing its existing approved records schedules, the most appropriate model for drafting a proposed schedule that covers electronic source records generated on e-mail, word processing, spreadsheet, graphic presentation and similar office automation software. In making a choice between the models, the agency may wish to ask several specific questions about the agency's office automation systems and recordkeeping practices:

- (1) Are the same office automation systems and software used throughout the agency?
- (2) When would it be more efficient to destroy unneeded electronic source records within each system—at the time a file copy is generated or at some other time?
- (3) To what extent do the agency's office automation systems, used for e-mail, word processing and other end-user computing, have records management capabilities provided by electronic recordkeeping systems (e.g., they allow users or network administrators to differentiate between records and nonrecord material, support the allocation of records to specific series or file groupings with retention periods approved by NARA, and sustain subject matter searches)?
- (4) Will anticipated internal and external reference and access needs be adequately met by the records in presently established recordkeeping systems (in paper, microform, or other media) or would these needs be better met by retaining (in addition to the record in the recordkeeping system) the electronic source records in the original system?
- (5) Are the bulk of the file series that comprise the agency's recordkeeping systems covered by up-to-date NARA-approved schedules?

Several factors may influence the agency's choice of an alternative and scheduling model. Both the scheduling alternative and planning alternative require the scheduling of electronic source records. However, the requirement to schedule the electronic

source records assumes that the agency has already scheduled most or all of its recordkeeping series. If this is not the case, the agency will have to schedule the recordkeeping series as well as the electronic source records. This will affect which of the scheduling models described below it will choose. In effect, some agencies will be updating their schedules at the same time they are scheduling their electronic source records.

Agencies may choose to submit a plan, rather than completing the requirements for one of the models:

- (1) If they are unable to complete the scheduling within 180 days;
- (2) If the agency's existing schedule is significantly out of date and must be revised; and/or
- (3) If the agency has not implemented guidance consistent with current NARA regulations concerning e-mail and other electronic records.

When agencies do not have current disposition authorities for the recordkeeping copies of series with electronic source documents, they should schedule these series through the usual scheduling process, submitting SF 115 requests in accordance with 36 CFR 1228, subpart A. Agencies are reminded also of the regulatory requirement to submit to NARA, within one year, schedules for the "records of new programs and of programs that are reorganized or otherwise changed in a way that results in the creation of new or different records" (36 CFR 1228.26).

Description of Models

Model 1—an agency would add an appropriate disposition for the electronic source records formerly covered by GRS 20 to every disposition instruction in its manual or records schedules.

Description: Agencies may wish to revise and/or develop individual disposition instructions for the electronic source records generated by office automation systems in each scheduled program and agency-specific administrative series and allow for varied retention periods by series. In that case, agencies would list each of their series and provide disposition instructions for the electronic source records.

Appropriate Usage: This scheduling model is most appropriate when:

- (1) The agency has determined that it has a business need and the technological capabilities to maintain electronic source records in addition to the paper (or electronic) records which are maintained as the recordkeeping copy and the electronic source records

need to have varying retention periods; or

(2) The agency has already planned to revise its schedules, and will be able to accomplish this within the 180-day time frame or will submit incremental schedules under an approved plan.

Example. Disposition statement for series of official decision of the Commission.

Official Decisions of the Commission

a. Signed copies of the official decisions:

Official signed copies of the decisions maintained as the official record. Permanent. Transfer the official signed copies of the decisions to the National Archives in ____ year blocks when ____ years old.

b. Electronic copies of Commission decisions

Electronic copies of decisions published on CD-ROM. Permanent. Transfer a copy to the National Archives upon publication.

c. Electronic Source Records.

Electronic records in word processing files used to create both Items a and b. Delete after the recordkeeping copy and the electronic publication copies have been produced. Individual records may be retained for a limited period of time to facilitate other operational activities such as updating or revision.

Model 2—an agency would schedule the electronic source records for selected individual series and combine other series under one disposition instruction. The format of Model 2 allows the agency to obtain the approval for the dispositions without having to physically annotate the dispositions of each series of records.

Description: Model 2 allows agencies to group together those series for which there is a common disposition and provide separate dispositions for the series where the retention and disposition needs are different. Under Model 2, an agency may submit a schedule that provides uniform disposition instructions for most electronic source records and separate dispositions for particular series, functions or organizational components where needed to meet agency business needs, including internal or external reference needs. A variant of this model would be to develop one or more dispositions applicable to the electronic source records for multiple records series within a broad functional area or business process where a common disposition is appropriate. Such a schedule might include separate dispositions for the electronic source records for functions or processes such as regulatory development, planning, application review, project management, or any business process or function in the agency. In either case, the schedule will consist of two parts: (1) item(s) for groupings of records with

the common disposition instructions, and (2) items that are exceptions to that common disposition. NARA will provide a series-based review of the program records and a more general review of the administrative series, based on the agency questionnaires provided with the agency submissions.

Appropriate Usage: This scheduling option is most appropriate when the agency intends to schedule the majority of its electronic source records in one schedule item (i.e., Model 3) but has identified one or more records series, or the collective series of one or more organizational components of the agency, where it is in the agency's interest to retain the electronic source records for different periods of time. For example, when specific documents serve as models that are reused, with appropriate modifications, in a number of cases, and the agency's recordkeeping system is on paper, keeping the source document in electronic form would facilitate reuse.

Sample Wording for the Schedule Item Covering Most of the Records Series

1. This schedule covers the electronic source records for those series whose disposition was previously approved by NARA under the following SF 115s (or agency published disposition manual) currently in effect: (List the previously approved schedule items or agency disposition manuals included in coverage).

Electronic source records maintained in addition to the copy preserved in an agency recordkeeping system. Includes records in all formats/media that are used as sources for the creation of a recordkeeping copy, such as electronic records that remain on electronic mail and word processing applications after the recordkeeping copy has been produced.

Delete electronic source records after a recordkeeping copy has been produced. Individual electronic source records may be retained for a limited period of time to facilitate other operational activities such as updating or revision.

[A numbered list of the exceptions to this general disposition would follow. Exceptions can be by series, business process, function, or unit. The basic format for exceptions would include identification of the type of record, component, function, or other identification as appropriate; citation to the approved schedule where the record copy is scheduled, and disposition. This list provides examples of each type of exception. Actual agency schedules might use one or more of these types of exceptions based on their needs. In actual practice some items may need to be subdivided into sub-items.]

Examples of exceptions by series

2. Exceptions

a. Budget Development Spreadsheets.

Record copy included in the budget case file scheduled for disposal in N1-XX-XX-X. Upon completion of budget cycle, transfer (move) electronic source record to Budget

Directory. Delete from Budget Directory when ____ years old.

b. Appraisal Memorandums.

Record copy included in the appraisal case file scheduled for permanent retention in N1-XX-XX-X. Upon approval of schedule transfer (move) electronic source record to Appraisal Memorandums Directory. Delete when superseded or obsolete, or when 3 years old, whichever is sooner.

c. Quarterly Narratives.

Record copy scheduled for permanent retention in ____ . Upon approval of office head, transfer (move) electronic source records to Quarterly Narratives Directory. Maintain for ____ years, then delete.

d. Press Releases

Record copy (paper) scheduled for permanent retention in N1-XX-XX-X. Upon issuance of press release, transfer (move) electronic source record to Official Electronic Press Release Directory maintained by Public Affairs. Transfer copies of these press releases in electronic form to the National Archives on an annual basis according to procedures in 36 CFR 1228.188 and 1228.190.

Example of exceptions Based on Agency Function

Electronic Mail and Word Processing Source Records Relating to White House and Congressional Inquiries. Electronic mail messages and word processing records created by all components in responding to Congressional Committee and Presidential correspondence. Record copy scheduled for permanent retention in N1-XX-XX-X. Delete ____ years after component office input is completed.

Example of Exception Based on Business Process

Electronic Source Records Relating to the Development of Regulations

Electronic source records used to produce recordkeeping documents for 11 individual series that together document the process of regulatory development. These series are currently scheduled under the following schedules: N1-XXX-XX-XX (Items x, x, x); NC1-XXX-XX-XX (items X,x, and x), etc.

Following production of the recordkeeping copy, maintain a copy of each source document until the completion of regulatory development process, then destroy.

Example of Exceptions Based on Agency Component

Electronic Source Records of the Executive Secretariat, Office of the Secretary Program Correspondence and Messages.

Record copy (paper) scheduled for permanent retention in N1-XX-XX-X. Transfer (move) to appropriate Program Correspondence Directory. Cut off annually. Transfer to NARA in accordance with the disposition for the Secretary's paper file and according to procedures in 36 CFR 1228.188 and 1228.190.

Model 3—an agency would provide for the disposition of all electronic source records under one schedule item.

Description: Under Model 3, the agency may propose a single item to

cover all of the agency's electronic source records. The single item should identify all of the records disposition schedules to which it applies by citing EITHER the appropriate agency published disposition manuals OR the approved disposition schedule(s) (NARA registration number for the SF 115). Agencies also may implement this model by submitting a schedule with one item for all program records and one item for all administrative records, or a schedule with separate schedule items for electronic source records from electronic mail messages and electronic source records from word processing files.

Agencies who choose this model should recognize that NARA may propose exceptions to the single disposition (along the lines of Model 2) when it appears from NARA's review that there are reasons for specifying individual retentions for the electronic source records of certain series, functions, or organizations. NARA's review of the schedule will be series-based even though the Model 3 schedule groups all series for disposition. NARA's review will be based on the information provided in the questionnaires completed by agencies (Part I) and the agency's existing schedules. NARA's **Federal Register** notice will provide the public the opportunity to review the schedules on a series basis also by listing the approved records schedules or disposition manual to which the new item would apply.

Appropriate Usage: This model may be used when the agency determines, after conducting a review of its schedules, that it has no present business need to maintain the electronic source record on the originating application and the same disposition is appropriate for the electronic source record copy of all of its office automation-generated records not covered by the General Records Schedules. This scheduling option represents an interim step as agencies develop the capacity for better management of their electronic records. Model 3 is most appropriate when the agency (1) has an up-to-date schedule, (2) has little or no capability for electronic recordkeeping, (3) has no present business need for maintaining records electronically, and (4) determines that the public interest is adequately served by the recordkeeping copies. Model 3 is also most appropriate for agencies that have scheduled series in electronic recordkeeping systems to provide disposition authority for the electronic source records.

Sample Wording

This schedule covers the electronic source records maintained in the originating e-mail, word processing, spreadsheet, or presentation office automation applications. The disposition of the recordkeeping copy was previously approved by NARA under the following SF 115s (or agency published disposition manuals) currently in effect: (List the previously approved schedules included in coverage.) These electronic source records are not maintained in recordkeeping systems and analysis has shown that these electronic records are not necessary to support the business needs of the agency.

Appropriate Disposition Instructions: Agencies may use the disposition instructions provided in NWM 06-98 (Delete when file copy is generated or when no longer needed for reference or updating, whichever is later) or may propose a longer retention period.

Submitting a Planning Package for Scheduling Electronic Source Records

Agencies unable to submit schedules for all electronic source records within the time frame set by the NARA bulletin must submit a planning package to NARA within 120 days. The planning package must include a statement from the agency head that comprehensive schedule requests cannot be completed within 120 days, a commitment to a plan for the scheduling of electronic source records within no more than two years, and a request for an interim disposition authority for all electronic source records.

The agency plan must contain a time line with milestones for completing a review of the agency's existing records schedules and for submitting SF 115's based on that review. NARA intends to work closely with the agency to ensure that the plan is realistic and that the agency demonstrates steady progress in meeting its milestones. The following parts of the planning package can be organized to meet the agency's particular needs, but all parts must be present:

- *Assessment of the completeness and currentness of the agency disposition schedule.* The agency must:
 - (1) Identify segments of the schedule that are out-of-date and assess what work must be done to bring the schedule up to date (e.g., inventory or survey records-holding units, update organizational references).
 - (2) Identify program areas that are not covered by the agency disposition schedule and assess what work must be done to prepare the SF 115 to cover those records.

If the agency cannot perform a detailed assessment of the agency disposition schedule before submitting the plan, completion of the detailed

assessment must be one of the early milestones of the plan. The minimum assessment provided with the plan must include the date(s) of the latest changes to the agency disposition schedule and a preliminary assessment, by chapter or program area.

- *Milestones for taking actions.*

NARA expects agencies to submit incremental SF 115's covering segments of their activities throughout the period that the plan is in effect to demonstrate steady progress in scheduling their program and unique administrative records. Each incremental SF 115 must be accompanied by a completed agency supplementary information questionnaire (see Part I)

- *Disposition Request (SF-115) for interim disposition authority for electronic source records.* Since the implementation of the plan may take a considerable period of time, agencies should submit an interim SF 115 to authorize disposition of the electronic source records from office automation applications for the period of time that the plan covers. This interim schedule will normally follow the format of Model 3 as described above, will be reviewed by NARA, and published for comment in the **Federal Register**. The interim disposition authority will remain in force no longer than the time period of an approved agency plan. Incremental schedules that are submitted (in accordance with the plan milestones) and approved will supersede the interim disposition authority for the records they cover.

NARA Action

Schedule Review

NARA will review agency submissions and work closely with the agencies to approve their schedules and/or plans in a timely manner. NARA recognizes the need to act as quickly as possible to ensure that agencies have approved dispositions for their office automation records not needed for the conduct of agency business and NARA will develop procedures to streamline the processing of these schedules. Even streamlined procedures must include, however, a 90-day-period for the preparation and publication of disposition requests in the **Federal Register** and the review and analysis of any comments received.

NARA's review of disposition requests for electronic source records will focus on the agency's reports describing their technological capabilities, business needs, and status of e-mail and other electronic recordkeeping guidance. NARA's review will be a series-based review for

program records and a more general analysis for administrative records.

Plan Review

NARA will review and approve those agency plans for completing the scheduling of electronic source records that provide for the submission in a timely fashion of incremental schedules that will, within the time specified, cover the electronic source records of all of its program and agency-specific administrative records (administrative records not covered by GRS 1-16, 18, and 23). If an agency's existing records schedules do not cover all of its program and unique administrative records, the agency must also submit updated schedules for those records, following the instructions in NARA Bulletin 98-02. NARA will normally approve as submitted the requests for interim disposition authority included with approved agency plans. NARA may, however, propose exceptions for specific series that it determines warrants longer retention.

Public Notice for Review of SF 115's

NARA will publish notices in the **Federal Register** for all schedules submitted following its normal practice, except that the schedules will be identified as specifically proposing dispositions for electronic source records. Following NARA's recently instituted practice, copies of appraisal memoranda may be requested for review with the schedule. For interim disposition authority requests associated with a plan, commenters may request a copy of the agency's proposed plan to use in their review of the disposition request.

When a copy of a schedule is requested, NARA also will provide the list of schedule citations (NARA job numbers) or published agency manual citations submitted by the agency for previously approved schedules that are being updated to include dispositions for electronic source records from office automation applications. This will allow the public the opportunity to review the proposed dispositions on a series basis. The **Federal Register** notices will indicate if the cited previously approved schedules can be reviewed on NARA's Internet ARDOR (Agency Disposition Online Resource) site (<http://ardor.nara.gov>). If the previously approved schedules or agency manuals are not available electronically from NARA, requestors can review them at the Archives II building in College Park, MD, or can request copies of them. Copies will be furnished on a fee basis, with the first 100 pages furnished free.

Part I—Questionnaire To Be Answered by Agencies for Each Electronic Source Records Disposition Request (SF 115)

(In addition to a signed copy of the disposition request (SF 115), please provide copies on disk in WordPerfect or Microsoft Word format of the request and the related completed questionnaire, to expedite processing.)

NAME OF AGENCY

CONTACT PERSON

(Person to contact if NARA has questions about this submission. Please include name, telephone number, and e-mail address)

DATE OF ELECTRONIC SOURCE RECORDS DISPOSITION REQUEST:

(Please attach copy of SF 115 submission)

1. How many separate disposition requests for electronic source records have been submitted by the agency?
2. Which agency components/functional areas/business processes are covered by this disposition request? For each agency component or functional area or business process, provide the name or description. (Please note that each major agency component or functional area should be described in a separate response to this questionnaire. However, if some of the answers are true for all components of the agency, please provide one agency response and reference that item on the questionnaire response for each subsequent subunit.)

3. What scheduling model is used in this disposition request (Models 1, 2 or 3)?

4. Why did your agency choose this model? If you are proposing a disposition that deletes electronic source records upon creation of a recordkeeping copy, please explain how this disposition will allow for you to address your agency's business needs (the need to conduct agency business, maintain a record of essential activities and decisions for agency use, support oversight and audit of those activities, and permit appropriate public access).

5. List NARA approved disposition authorities that are covered by this disposition request for this agency component or functional area. (List schedule and item numbers, or refer to agency printed manuals. If manuals are cited, please provide with this request a copy of the most recent manual.)

6. Are you using an electronic recordkeeping system for managing records generated by office automation systems? If yes, are you using a COTS system (please specify which one) or a

system developed specifically for your agency?

[Note: An electronic recordkeeping system has the functionalities listed in question 7 (a)–(h)]

7. If answer to #6 is no, do the office automation systems for this component or functional area have any of the functions described below that are generally associated with electronic recordkeeping systems? Does the system allow users or system administrators to:

(a) Differentiate between records and non-record material;

(b) Associate transmission information with content of e-mail records;

(c) Ensure that records cannot be changed after designation as records;

(d) Support allocation of records to specific series or file codes;

(e) Integrate approved NARA retention periods into series designations or file codes used;

(f) Support subject matter searches;

(g) Implement shared directories by agency component or functional unit; and/or

(h) Provide appropriate formats for transfer of permanent electronic records to NARA (see the requirements in 36 CFR 1228.188).

8. Does your agency component or functional area use COTS document management software? If so, what systems are used?

9. Has the agency issued guidance on electronic records management, e-mail and/or recordkeeping guidance that applies to this functional area? Which of the following topics does this guidance cover:

(a) Distinguishing records from non-record material;

(b) Providing for transfer of complete electronic records (including transmission data with content for file copies of e-mail, for instance) to the recordkeeping system;

(c) Record status of drafts;

(d) Filing of electronic records in shared directories;

(e) Naming conventions for electronic records;

(f) Instructions for filing record copies of electronic source records in approved recordkeeping systems (paper, electronic, microform, other); and/or

(g) Protecting integrity of records in individual or shared directories.

10. What efforts has this organization component/functional area made to ensure that staff comply with e-mail and other electronic recordkeeping guidance, including formal and informal training and internal audits/evaluations? What is the scope, content, and frequency of training? Have audits

or evaluations of systems covered in this disposition request included review of the implementation of electronic records guidelines or policy?

11. To what extent are the records of this agency component or functional area (excluding administrative records covered by GRS 1-16, 18, and 23) covered by NARA-approved schedules? Are there significant omissions in schedule coverage? If so, specify the relevant office, program, or function. What is the date of the latest major schedule revision or review?

Part II: NARA Bulletin 98-02, Disposition of Electronic Records

The text of NARA Bulletin 98-02 is provided here for convenience of reviewers. It was distributed to Agency Heads, Records Officers, and Information Management Officials previously and is in effect.

NARA Bulletin 98-02
March 10, 1998

TO: Heads of Federal Agencies

SUBJECT: Disposition of electronic records

1. *Purpose.* This bulletin reminds agencies of their responsibilities for ensuring adequate documentation of agency activities and provides guidance to Federal agencies concerning new procedures for submitting records schedules covering new or revised series.

2. *Expiration.* This bulletin will remain in effect until October 31, 1998, unless superseded earlier. Agencies will be notified by NARA bulletin of new procedures for authorizing disposition of electronic records resulting from the recommendations of the Electronic Records Work Group to the Archivist of the United States.

3. Background.

a. Agency heads are required by 44 U.S.C. 3101 to "make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency. * * *" NARA regulations at 36 CFR Part 1222 specify agency recordkeeping responsibilities, including standards for recordkeeping requirements. NARA regulations at 36 CFR Part 1234 Subpart C specify standards for managing the creation, use, preservation, and disposition of electronic records.

b. Last October 22, 1997, the U.S. District Court for the District of Columbia issued an order declaring NARA's General Records Schedule (GRS) 20 "null and void." The court's order was in response to a suit filed by Public Citizen and other organizations against the Archivist of the United States, the Executive Office of the President (EOP), the Office of Administration, and the United States Trade Representative. The Government has filed an appeal of the court's declaratory judgment. The Department of Justice has advised that pending the appeal, government agencies may continue to rely upon GRS 20.

c. Although the Government has appealed the court's decision, fundamentally NARA believes that the Government needs to

develop a better approach to the disposition of records created on word processing and electronic mail applications. NARA's Strategic Plan includes several strategies for improving the management of electronic records. As part of one of these strategies, NARA is re-evaluating how it approves the disposition of electronic records. To focus NARA's efforts on changing GRS 20, NARA has formed an interagency Electronic Records Work Group, consisting of select NARA staff, Federal records officers, and information management specialists, with oversight by the Deputy Archivist of the United States. The Work Group is to have recommendations to the Archivist by July 1 and an implementation plan by September 30, 1998.

4. *Agency recordkeeping requirements.* Agencies are reminded that NARA regulations provide guidance and requirements on recordkeeping policies and practices to assist agencies in ensuring adequate and proper documentation of agency activities. To support operational needs, protect rights, and allow accountability, agencies must create and preserve complete records in designated recordkeeping systems.

a. To ensure complete documentation, records, including those generated electronically with office automation applications, should include proper identification of originators and recipients, appropriate dates, and any other information needed by the agency to meet its business needs. Records generated with an office automation application must be copied to a recordkeeping system where they will be maintained as long as they are needed by the Government.

b. Proper recordkeeping systems organize or index records to provide context and to allow appropriate staff access to all records relating to a specific transaction, project, study, or subject. Recordkeeping systems may be in paper, micrographic, or electronic format.

5. *Impact on scheduling.* While NARA is reconsidering its policies on the disposition of electronic records generated with office automation applications and pending the recommendations of the Work Group, NARA advises agencies to follow the instructions provided below.

a. Subsequent to the issuance of this bulletin, new and revised items on SF 115s, Request for Records Disposition Authority, submitted for NARA approval must include provision for the disposition of both the copy of a record that resides on electronic mail or other office automation application, and the copy maintained in the recordkeeping system:

(1) When new and revised items include records generated on office automation applications, the description on the proposed schedule should indicate that records were generated using office automation, AND

(2) For each such item the proposed schedule should provide separate disposition instructions for the recordkeeping system described in the schedule and for the electronic copy created by the office automation application.

b. Agencies should monitor the Electronic Records Work Group Internet Web page at

<http://www.nara.gov/records/grs20/> and submit comments and suggestions to the Work Group on Work Group documents posted for comment.

6. *NARA action.* NARA will provide guidance and assistance to agency records officers concerning recordkeeping requirements and new scheduling procedures. NARA will advise agencies promptly of any Court action affecting maintenance and disposition of electronic records.

7. *For further information.* Please direct questions or comments to Michael Miller, Modern Records Programs, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001 (telephone: 301-713-7110, ext. 229) or by electronic mail to <grs20@arch2.nara.gov>.

John W. Carlin,

Archivist of the United States.

Part III: NWM 06-98, Memorandum to Agency Records Officers and Information Management Officials

The text of NWM 06-98 is provided here for the convenience of the reviewer. It has been issued to the addressees.

March 13, 1998

NWM 06-98

MEMORANDUM TO AGENCY RECORDS OFFICERS AND INFORMATION MANAGEMENT OFFICIALS: Disposition of Electronic Records and Other Matters

Enclosed is a copy of NARA Bulletin 98-02 which the Archivist of the United States sent to heads of Federal agencies concerning significant recent events relating to the disposition of Federal electronic records. The bulletin provides an update on the status of the litigation concerning General Records Schedule 20, Electronic Records and reminds agency heads of their recordkeeping responsibilities. Even though the Government has filed an appeal of the District Court's declaratory judgment, the plaintiffs recently filed a motion asking the District Court to schedule a hearing on the plaintiffs' request for an injunction requiring the Archivist to instruct agencies that they cannot rely upon GRS 20 as authority to dispose of records. The District Court has granted the motion for a hearing, which is scheduled for March 20, 1998.

The bulletin also establishes a new procedure for scheduling electronic mail and other records created with office automation applications. As indicated in paragraph 5 of the bulletin, when agencies submit schedules (SFs 115) to NARA for approval, the description for new or revised items that include records generated with word processing, electronic mail, or other office automation applications must indicate the presence of such records and provide a separate disposition instruction for the copies of the records that remains on the originating application. The following example contains the necessary components.

1. Program Subject File.

Correspondence, reports, studies, forms, and other records relating to the program, documenting plans, progress, and accomplishments. Includes records generated with word processing and electronic mail applications.

a. Official file.

Destroy when 5 years old.

b. Electronic version of records created by the electronic mail and word processing applications.

Delete when file copy is generated or when no longer needed for reference or updating.

This approach will better document the nature of the series and give NARA the opportunity to consider the existence of electronic versions of records when approving schedules. If you have any questions about the new scheduling procedures, contact the NARA staff member assigned to work with your agency.

The Electronic Records Work Group referred to in NARA Bulletin 98-02 has identified a series of possible options for replacing GRS 20, or parts of it, and other mechanisms for the disposition of certain types of electronic records. A paper, "Preliminary Options for Replacing GRS 20," has been posted for public comment on the Internet Web site for the Work Group at <<http://www.nara.gov/records/grs20/opt312.html>>. As the work group has a tight deadline, we need your comments and suggestions by March 31. You may contribute to this effort by sending an electronic mail message to grs20@arch2.nara.gov; by sending a letter to Electronic Records Work Group, National Archives and Records Administration, 8601 Adelphi Road, Room 2100, College Park, MD 20740-6001; or by sending a facsimile transmission to 301-713-6852. If you send mail, please allow sufficient time for it to arrive by March 31. The Work Group may not be able to fully consider materials that arrive after that date. Any comments that you submit will be considered your personal views unless you indicate that they represent your agency's comments.

Also enclosed is NARA Bulletin 98-01, Checklist of NARA bulletins, which provides a list of bulletins issued prior to fiscal year 1998 that are still in effect.

Michael L. Miller,

Director, Modern Records Programs.

[FR Doc. 98-19466 Filed 7-20-98; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Electronic Records Work Group Draft Report; Appendix D

AGENCY: National Archives and Records Administration (NARA).

ACTION: Request for comment.

SUMMARY: This notice contains the Electronic Records Work Group's proposed Appendix D. Appendix D addresses the second Work Group recommendation, that NARA modify the General Records Schedules (GRS) to authorize the destruction of copies of administrative records covered by those GRS that are not needed for recordkeeping purposes after a recordkeeping copy has been produced.

This appendix proposes a new item to be added to General Records Schedules 1-16, 18, and 23 to provide the disposition authority previously provided by GRS 20.

Because the proposed disposition for these GRS records is being published in full text for public comment as part of this notice, the Work Group believes that this notice will serve as the **Federal Register** notice required by 44 U.S.C. 3303a. Therefore, the Work Group believes that NARA will not need to publish a separate **Federal Register** records schedule notice for this GRS change unless the GRS disposition language is revised substantively in response to comments and the Archivist determines that additional public comment is warranted.

DATES: Comments must be received on or before August 20, 1998.

ADDRESSES: Comments may be sent electronically to the e-mail address <grs20@arch2.nara.gov>. We ask that lengthy attachments be sent in ASCII, WordPerfect 5.1/5.2, or MS Word 6.0 format. If you do not have access to e-mail, comments may be mailed to Electronic Records Work Group (NPOL), Room 4100, 8601 Adelphi Rd., College Park, MD 20740-6001, or faxed to 301-713-7270.

FOR FURTHER INFORMATION CONTACT: Michael Miller at 301-713-7110, ext. 229.

SUPPLEMENTARY INFORMATION: In addition to your comments on the proposed GRS changes which are presented in Appendix D at the end of this notice, we also ask your comments on the following question:

D1. Are the definition of program records and administrative records clear?

Dated: July 16, 1998.

Lewis J. Bellardo,

Deputy Archivist of the United States.

Appendix D: Proposal To Revise The Entire GRS To Cover all Formats of the Administrative Records Included Therein

Background

In the 1995 edition of the General Records Schedules, GRS 20, items 13, 14 and 15, authorized the deletion of electronic source records that remained on electronic mail and word processing systems after a record was produced for inclusion in a recordkeeping system. The disposition of the recordkeeping system would be governed by a separate GRS or agency schedule item. This authority was challenged in a court suit on the basis that the GRS cannot provide Governmentwide authorization

for destruction of electronic mail messages and word processing records that qualified as program records. As stated in the draft report of the Electronic Records Work Group, the Archivist has determined that the GRS will be limited to common administrative records, and he charged the Electronic Records Work Group to develop guidance to distinguish between administrative and program records. This appendix provides that guidance and recommends changes to the GRS to replace GRS 20, items 13, 14, and 15, and include other source records.

Proposed Definitions

Program records are those records created by each Federal agency in performing the mission of the agency. The agency's mission is defined in enabling legislation and further delineated in formal regulations.

Administrative records are those records created by several or all Federal agencies in performing common facilitative functions that support the agency's mission activities, but do not directly document the performance of mission functions. Administrative records relate to activities such as budget and finance, information management, human resources, equipment and supplies, facilities, public and congressional relations, contracting, and legal matters not directly related to the agency's core mission (e.g., adherence to general statutes such as laws on procurement, privacy, and government ethics).

While both program and administrative records are needed for the agency to accomplish its mission, the distinction is important for the scheduling of an agency's records.

Discussion

The General Records Schedules (GRS) issued by the National Archives and Records Administration (NARA) in accordance with 36 CFR 1228.40 apply to certain administrative records created by several or all agencies. Their purpose and maintenance requirements are generally standard from agency to agency. The GRS provide mandatory disposition authority for those records, unless an agency receives an exception from NARA.

All program records and administrative records not covered by a GRS must be scheduled by the creating agency. Many agencies have records relating to administrative functions that are not described in the GRS. These records may supplement the records covered by the GRS or they may be organized or maintained in a way that