

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](mailto: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.*

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## 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](mailto: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

make application of the GRS inappropriate. If records described in the GRS are part of a larger file series and cannot be economically segregated, the agency schedule for the series, not the GRS, would control the disposition of the entire series. Agencies also have administrative records that are not appropriate for GRS coverage because the content or organization of the files may vary significantly from agency to agency, such as records relating to the selection of political appointees (see NARA Bulletin 95-6).

The Work Group recommends that a new item be added to GRS 1-16, 18, and 23, to authorize disposal of the source records used to produce records maintained in those GRS recordkeeping systems, *after* a recordkeeping copy has been produced. These source records will include electronic source records generated using electronic mail, word processing, and other office automation systems. This authority is needed because the electronic source record that remains on the office automation application is a record, in addition to the record in the recordkeeping system.

This new item is appropriate for inclusion in the GRS because the GRS applies only to administrative records. This new item is recommended because unlike unique agency program records, the Work Group believes that the electronic source records of records covered by the GRS have virtually no potential for unique or added value. Consequently, unlike program records, the source records need not be appraised in a series-based manner. (This authority would not be added to GRS 17 and 21 because they cover cartographic, architectural, and audiovisual records. Even though such nontextual records may be generated in digital format, NARA needs to conduct further study before determining whether electronic source records should be added to these two GRS. GRS 19, Research and Development Records, was withdrawn in a previous edition of the GRS, and NARA has decided to withdraw GRS 22, Inspector General Records, in the next edition.)

The new item proposed by the Work Group would align the disposition authority for the source records with records documenting a specific administrative function, as opposed to providing one GRS authority across functional areas, as was done in the 1995 edition of GRS 20. It will provide authority for deletion of the source records, including those that are maintained on office automation applications apart from an agency recordkeeping system. The new item will be applicable to source records in

all physical formats that the agency does not maintain in a recordkeeping system. However, the item will authorize deletion of source records maintained apart from the recordkeeping system only *after* a recordkeeping copy is produced. The item will not apply to the records in a recordkeeping system.

### Proposed Changes

#### 1. General Introduction to the GRS

##### Replace:

"As provided in GRS 20, Electronic Records, the disposal instructions for most records in the remaining schedules are applicable to both hard copy and electronic versions of the records described. GRS 20 specifies several exceptions to this authority. In those cases, the electronic version of the file must be scheduled by submission of an SF 115 to NARA."

##### With:

"The items in GRS 1-16, 18, and 23, apply to records that contain the information described in the schedule. The coverage is neutral with respect to the recording medium. The specified retention periods apply to the records described in each item which are maintained in a recordkeeping system, regardless of the physical medium used to maintain the records. In addition, an item in each of those schedules provides authority for agencies to destroy/delete source records after a record has been produced for inclusion in the appropriate recordkeeping system."

#### 2. New Item to be Added at the End of GRS 1-16, 18, and 23

##### "Records Maintained Apart From a Recordkeeping System."

"Records, including electronic source records, used to generate the records covered by the other items in this schedule which cover the records in an agency recordkeeping system. Includes records in all formats/media that are used as sources for the creation of the record maintained in a recordkeeping system, such as electronic records that remain on electronic mail and word processing utilities after the record for the recordkeeping system has been produced.

"Destroy/delete after the recordkeeping copy has been produced. Electronic source records may be maintained for a limited period of time for operational purposes other than recordkeeping, such as updating."

#### 3. New Paragraph to be Added to the Introductions to GRS 1-16, 18, AND 23

"A new item has been added to this schedule to authorize the destruction of source records, regardless of physical

format, that are maintained in addition to the record in an agency recordkeeping system. This item covers records that are used to create the recordkeeping copy, e.g., the electronic record that remains on electronic mail and word processing utilities after a record has been produced for inclusion in a recordkeeping system."

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## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Electronic Records Work Group Draft Report; Appendix E

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Request for comment.

**SUMMARY:** This notice contains the Electronic Records Work Group's proposed general records schedule (GRS) to cover information technology records common to many or all Federal agencies. The proposed GRS would implement the Work Group's proposed recommendation that NARA should revise GRS 20 disposition authorities to cover only systems administration (or systems management) and operations records and that the new schedule should cover only administrative records. Agency systems records for program (mission-related) activities will not be covered by the proposed GRS.

The Work Group intends to recommend to the Archivist a proposed new GRS for information technology records based on the comments received during this comment period. Because we expect a number of comments on fundamental issues relating to the approach that the GRS should take and the records that should be covered, we believe that the draft that will be submitted to the Archivist of the United States in September will require an additional **Federal Register** comment period before NARA issues it in final form.

**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.