

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Electronic Records Work Group Draft Report; Introductory Information

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of materials for public review and comment; request for comment.

SUMMARY: In this separate part, NARA is publishing five notice documents that invite public comment on draft products developed by the Electronic Records Work Group relating to the disposition of Federal records previously authorized for disposal under General Records Schedule (GRS) 20, including those created or received on electronic mail (e-mail) and word processing applications, or other office automation software. This notice provides an overview of the documents on which comments are sought and other background information to assist in your review.

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:

Background

The Electronic Records Work Group is an interagency group formed by the Archivist of the United States on November 21, 1997, to review the 1995 version of General Records Schedule (GRS) 20. GRS 20 provided agencies with the disposition authority to destroy (delete) electronic records on word processing and electronic mail (e-mail) systems after the records were copied to a recordkeeping system. GRS 20 also provided agencies with the authority to destroy certain specified *temporary* records created and used in computer operations, such as system test files, back-up files, and input/source files, when those records were no longer needed to conduct agency business.

On October 22, 1997, GRS 20 was declared null and void by the U.S. District Court for the District of Columbia in *Public Citizen v. Carlin*. In

an April 9, 1998 Order, the District Court authorized the Archivist to state that a Federal agency may continue to follow its present disposition practices for electronic records until: (1) September 30, 1998; (2) the agency has submitted and received approval from NARA on a Request for Records Disposition Authority; (3) notification by NARA that the Government's appeal in the case has been resolved and NARA has provided further guidance as a result of the appellate court's decision; or (4) further Order of the District Court. The October and April Orders have been appealed by the Government.

The draft products presented in this **Federal Register** part reflect the effort of the Electronic Records Work Group to develop workable alternatives for providing agencies authority to dispose of two types of records previously authorized for disposal under GRS 20: (1) The electronic source record (i.e. the electronic record that is made or received using word processing, e-mail or other office automation software and that is used to produce the record filed in a recordkeeping system) and (2) computer management and operations records usually maintained by agency offices with responsibility for managing information systems. Recommendations 1 and 2 in the Work Group's draft report address the first type of record and recommendation 3 addresses the second. Records generated with office automation software, like other Federal records, can be destroyed (deleted) only with NARA's authorization.

GRS 20 itself only provided for the disposition of a small portion of the electronic records created by the Federal Government on a daily basis. It did not provide authority for disposition of major program-related information systems, data files used to support agency programs, records in electronic recordkeeping systems, records in document management systems, or similar program records managed electronically. The documents in this **Federal Register** notice also do not cover those types of electronic records. As before, Federal agencies must develop individual dispositions for those records and submit them for approval by NARA. The guidance for doing so is provided in other existing NARA issuances.

Nor is this document meant to provide guidance on the development of electronic recordkeeping systems, appropriate procedures for managing records electronically, specifications or requirements for electronic recordkeeping systems, or other aspects of electronic recordkeeping. NARA will work with Federal agencies over the

next 18 months to develop appropriate guidance in these areas. NARA recognizes that such guidance is crucial to the effective implementation of electronic recordkeeping. However, this notice is intended to address several extremely pressing issues brought about by the Court's decision to declare GRS 20 null and void. From a Government operations standpoint, the most crucial issue is the process by which agencies can obtain appropriate disposition authority for the electronic source records formerly authorized for disposal under GRS 20.

The Work Group's recommendations do not require agencies to establish electronic records management systems in order to schedule electronic source records. There may be important considerations, such as the completeness of files or the authenticity of records, that makes a paper recordkeeping system the best choice. Regardless of whether the agency's recordkeeping system is paper or electronic, because the electronic document previously authorized for destruction (deletion) by GRS 20 is a record, the agency must schedule it and obtain disposition authority from NARA in order to delete it.

The computer has changed and continues to change the way the Federal government conducts public business. Information technology offers potential for substantial improvements in the creation, retention and management of records, as well as in the delivery of Government services. Some of this potential can be realized today, such as in economical storage and rapid retrieval of data. The future offers even greater possibilities.

Although electronic recordkeeping offers many potential benefits, current capabilities to implement it are limited by a number of factors. First, the recordkeeping capabilities of many of the most widely used software packages such as electronic mail and word processing are extremely limited. They must be supplemented with specific records management applications to provide the functionalities necessary to keep business quality records. Second, technology has made electronic records easier to create and transmit than to preserve for the periods of time necessary for recordkeeping. Finally, the Federal government is still developing key pieces of guidance in areas such as system requirements for electronic recordkeeping and authentication of electronic records. The Work Group also proposes to recommend, therefore, that the Archivist of the United States establish a follow-on group to examine electronic recordkeeping issues and to

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/adequacy.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.