

Frequently Asked Questions (FAQs) about GRS 1.2, Grant and Cooperative Agreement Records

Revised June 2016

GENERAL

1. What is the purpose of GRS 1.2?

This schedule provides disposition authority for records related to the process of announcing, selecting, and monitoring grants and cooperative agreements. Records related to this function include:

- Program announcements
- Application files
- Case files
- State plans
- Final products or deliverables

This schedule does not, however, provide disposition for financial transaction records related to administering grants unless they are copies maintained in the program case files. Nor does it cover policy records related to grant and cooperative agreement programs, or government-wide systems like GRANTS.GOV, GRANTSOLUTIONS.GOV and USASPENDING.GOV that are involved in the grant process.

2. From whom may I request more information about this schedule?

You may contact NARA's General Records Schedules Team at GRS_Team@nara.gov with questions about this schedule.

CHANGES FROM THE OLD GRS

3. How does GRS 1.2 differ from the old GRS?

GRS 1.2 is different from the old GRS in that it expands the types of records related to grants and cooperative agreements. Previously, the GRS only covered grant administrative files and unsuccessful grant applications. The new GRS better defines and expands the scope of administrative files related to grant and cooperative agreement programs, and it now covers successful as well as unsuccessful grant application case files and final products and deliverables.

TERMS USED IN THIS SCHEDULE

4. What is the difference between a grant, a cooperative agreement, and a contract in the context of this schedule?

A grant is an award of financial assistance in the form of money, or property in lieu of money, by the Federal government to an eligible grantee. The principle purpose of a grant is to transfer a thing of value from a Federal agency to a state or local government or other recipient to carry out a public purpose of support or stimulation authorized by Federal statute (31 U.S.C. 6304). A cooperative agreement is an award of financial assistance that is used to enter into the same kind of relationship as a grant, but differs from a grant in that it provides for substantial involvement between the grant-making

Federal agency and the award recipient to carry out the activity contemplated by the award (31 U.S.C. 6305). Contracts are used to acquire property or services for the direct benefit or use of the Federal government.

QUESTIONS ABOUT RECORDS NOT COVERED

5. Why does this schedule not cover financial records related to grants and cooperative agreements?

Records related to financial transactions stemming from activities of agency grant and cooperative agreement programs are covered by GRS 1.1. To include them in this schedule would be duplicative and confusing, and would render the records susceptible to inconsistent retention and disposition.

6. Why does this schedule not cover grant and cooperative agreement program policy records?

Grant and cooperative agreement program policy records can include information that documents how agencies make decisions about grants and cooperative agreements. In some cases there may be legal or business use reasons these records need to be kept for a longer period of time than less significant records. Some of these records could also be of permanent value. Due to the variable business use and value of policy records, it was impossible to determine a government-wide disposition for these records. An agency must either apply an existing approved agency schedule or submit an agency-specific schedule to NARA for these records.

7. Why does this schedule not cover Government-wide systems such as GRANTS.GOV, GRANTSOLUTIONS.GOV, and USASPENDING.GOV?

GRANTS.GOV is owned by the Department of Health and Human Services (HHS). HHS has scheduled the web version of material posted there by other agencies as temporary, assuming agencies manage that content as records in their own records-management environments. The web version has the unique and sole business purpose of making grant information available to the public for a relatively short period of time.

GRANTSOLUTIONS.GOV is also owned by HHS and managed by the Administration for Children and Families (ACF) within HHS, in partnership with the Denali Commission. Its business purpose is to provide grants management products and support to Federal grant-making agencies. ACF has scheduled the GRANTSOLUTIONS.GOV database and web portal as temporary. Agencies are responsible for managing the content they post and output they receive as records in their own records management environments.

USASPENDING.GOV is owned by the Office of Management and Budget (OMB). Although it contains copies of records posted by other agencies, the records OMB collects in this system combine to create a new business purpose, different from the business purpose for which the individual records exist at the creating agency. OMB is responsible for scheduling that unique totality of records in USASPENDING.GOV.

8. Why does this schedule not cover Service Level Agreements?

A Service Level Agreement (SLA) is an agreement between a customer (the agency, in this context) and a service provider that describes the service, documents service level performance targets, establishes incentives for meeting performance targets, clarifies the responsibilities of both the service provider and the customer, delineates how they will discover and handle disputes, and specifies how they will remedy

performance failures. The process of executing an SLA is a commercial transaction between a customer and a service provider. The services described in an SLA are paid for by the agency. However, unlike a grant or cooperative agreement, an SLA is not a funding or obligation document. For this reason, we do not include SLAs under this schedule.

9. Why does this schedule not cover Interagency Agreements?

An Interagency Agreement (IAA) is a written agreement between two Federal agencies, or major organizational units within an agency, that establishes a reimbursable order for goods or services. An IAA is a communication tool between the buyer and seller that enables them to agree on the data elements and terms of the reimbursable transaction before business begins. The term Intra-agency Agreement may be used when the agreement is between components of one agency. Unlike grants and cooperative agreements as defined in this schedule, IAAs are between co-equal partners. For this reason, we do not include IAAs under this schedule.

10. Why does this schedule not cover Memoranda of Understanding (MOU) or Memoranda of Agreement (MOA)?

The GRS covers only records that we can declare either universally temporary or universally permanent. We appraise grant and cooperative agreement *administrative* records in GRS 1.2 as temporary, even while the work they fund may create permanent records (see Q/A 16, below), so this schedule covers them. An agency initiates a grant or cooperative agreement to accomplish a single administrative function: transfer a thing of value (usually funds) in exchange for work. An agency may initiate an MOU or MOA with another entity for a wide variety of purposes, most of which may be of passing historical interest. But others could be of such importance that the MOU or MOA itself has permanent value. Since we cannot appraise MOUs and MOAs as universally permanent or temporary, we do not include them under this schedule.

QUESTION RELATED TO ITEM 010

11. Why is the retention for Grant and Cooperative Agreement Program Management records increased from 2 years to 3 years?

This item broadens the scope of program management records covered by old GRS 3, item 14: routine correspondence and subject files relating to grant administration. Item 010 includes records related to the coordination, implementation, execution, monitoring, and completion of programs, such as background files, application packages (e.g., blank forms, instructions, guidelines, templates, checklists, and evaluation criteria), and application evaluation files (e.g., panel composition, correspondence, and instructions). Because item 010 covers a wider range of records, it was necessary to increase the retention by one year compared to the old GRS. Many of the records in item 010 previously would have been scheduled by agency-specific schedules. Item 010 therefore has the advantage of giving one retention period for all administrative and operational program records, which is simpler to apply and sufficient to meet the needs of most agencies.

QUESTIONS RELATED TO ITEM 020

12. Why does the GRS now include successful applications?

NARA has determined, based on research and experience with reference usage of accessioned grant case files, that these records do not generally warrant permanent retention. They are often quite voluminous, contain little information of significance, and get little research use. Many agencies already schedule grant case files as temporary. For these reasons we have determined that grant and cooperative agreement case files can be scheduled across the Federal government as temporary records. If an agency believes they have grant case files that are of historical value they can submit a schedule to NARA for those records.

13. Why should I keep successful grant and cooperative agreement applications case files for 10 years?

The 10-year retention aligns with the 10-year statute of limitations in the False Claims Act (31 U.S.C. 3731(b)), which governs claims related to these records.

14. What if my agency wants a shorter retention for successful grant and cooperative agreement applications?

If your agency does not have an existing agency-specific schedule for these records, it may submit a schedule requesting to deviate from the GRS to your agency's assigned NARA appraiser. Please keep in mind, however, that the 10 year retention is based on a statute of limitations, so the GRS Team will request confirmation that your agency's legal counsel agrees to a shorter retention prior to our concurrence on your deviation request.

If your agency has an existing agency-specific schedule for these records, it may choose to continue to use the existing schedule by informing NARA of its intent to do so (per 36 CFR 1227.12(a)(3). Notifications can be sent to GRS_Team@nara.gov. However, due to the legal risk in keeping these records for a shorter period of time, we recommend you review the existing schedule for these records with your General Counsel prior to implementation.

QUESTION RELATED TO ITEM 022

15. Why is there an "All other copies" item for Grant and Cooperative Agreement Case Files, but none of the other items have a similar catch-all item?

Extra copies of these case files may be retained in other business units for a separate business purpose. These extra copies are not non-record copies held for convenience, but record copies in their own right retained for a specific and unique business purpose outside the purview of an agency's grant and cooperative agreement program. As such, their retention and disposition can be based on business use. Copies of records covered by other items in this schedule are more likely to be held simply for convenience, making them non-record by definition.

QUESTION RELATED TO ITEM 030

16. Why are final products or deliverables scheduled as temporary?

Records of research funded by a specific grant or cooperative agreement may be of permanent value as part of project files scheduled by the research program office. Such project files are, however, separate

from the final products or deliverables of grants and cooperative agreements maintained as administrative documentation of a grant/agreement program and covered by item 030 in this schedule.

While instinct might incline us to think that these final products or deliverables have universal permanent value, we found that this was not the case. In fact, few agencies have scheduled these records at all. Among agencies that have, only about half scheduled them as permanent; and half of those stipulated specific and fairly stringent criteria be met for a product or deliverable to warrant permanent retention. Where agencies have scheduled these records as permanent, research use of records accessioned into NARA's holdings has proved surprisingly low. Based on this actual rather than perceived value, we determined that a blanket designation of these records as permanent is simply not supported. However, if an agency believes it has grant or cooperative agreement products or deliverables that do warrant permanent retention by the National Archives, it can write an agency-specific schedule requesting an exception to the GRS.