

## Request for Records Disposition Authority

Records Schedule Number           DAA-GRS-2017-0012

Schedule Status                    Modified Approved Version

  

Agency or Establishment           General Records Schedules (National Archives and Records Administration)

Record Group / Scheduling Group   General Records Schedules

Records Schedule applies to       Government-wide

Schedule Subject                    General Records Schedule 6.6: Rulemaking Records

Internal agency concurrences will be provided   No

Background Information

Rulemaking is defined by the Administrative Procedure Act (APA) as the “agency process for formulating, amending, or repealing a rule” (5 U.S.C. 551(5)). This process results in the agency issuing a final regulation, which it publishes in the Federal Register and codifies in the Code of Federal Regulations. This schedule covers certain records created in that process. It also covers records documenting public notices that do not relate to rules and regulations but that agencies disseminate via publication in the Federal Register.

With one exception (see item 030), this schedule does not cover records created after a proposed rule first appears in the Federal Register (item 020 lists points at which first publication might appear). Records created after first appearance in the Federal Register are contained in a case file, often called a “docket.” Dockets may be of permanent value depending on the particular rule or an agency’s mission. Therefore, each agency must schedule its rulemaking dockets independently.

### Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
5	0	5	0

### GAO Approval

## Outline of Records Schedule Items for DAA-GRS-2017-0012

Sequence Number	
1	Records of proposed rule development. Disposition Authority Number: DAA-GRS-2017-0012-0001
2	Proposed and final rule documents published in the Federal Register. Disposition Authority Number: DAA-GRS-2017-0012-0002
3	Public comments. Disposition Authority Number: DAA-GRS-2017-0012-0003
4	Federal Register notices other than proposed and final rules. Disposition Authority Number: DAA-GRS-2017-0012-0004
5	Agency input into the unified agenda. Disposition Authority Number: DAA-GRS-2017-0012-0005

## Records Schedule Items

Sequence Number					
1	<p><b>Records of proposed rule development.</b></p> <p>Disposition Authority Number      <b>DAA-GRS-2017-0012-0001</b></p> <p>Records of internal development of agency rules in preparation for Federal Register publication as a proposed rule, including case files that result in final rules, case files that do not result in final rules, and case files of exemptions to rules. Includes: • briefing papers and options papers presented to management • rule/regulation drafts presented to management • internal comments in response to drafts presented to management • stakeholder input • analyses • clearances • summary sheets • background and supporting materials • records documenting a notice of inquiry (NOI) advance notice of proposed rulemaking (ANPRM), or request for information (RFI) in the Federal Register inviting comments on a not-yet-proposed rule, and comments received in response • concept releases • petitions to issue, amend, or repeal a rule • petitions for exemption • decision memoranda • reports and white papers • meeting minutes documenting evaluation of options and decisions made • workplans and timelines • correspondence Note: GRS 5.2, item 020, covers “drafts produced... for... internal discussion, reference, or consultation.” Exclusion: Schedule and retain as part of a docket any records this item describes that the agency incorporates into that docket.</p> <p>Final Disposition                      <b>Temporary</b></p> <p>Item Status                                <b>Inactive</b></p> <p>Is this item media neutral?            <b>Yes</b></p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?        <b>Yes</b></p> <p>Do any of the records covered by this item exist as structured electronic data?                            <b>Yes</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Manual Citation</th> <th style="width: 50%;">Manual Title</th> </tr> </thead> <tbody> <tr> <td><b>GRS 6.6, item 010</b></td> <td></td> </tr> </tbody> </table> <p>Inactive Status Explanation            <b>Item was rescinded via GRS Transmittal 31.</b></p> <p>Disposition Instruction</p> <p>Retention Period                         <b>Destroy 6 years after publication of final rule or decision to abandon publication, but longer retention is authorized if required for business use.</b></p>	Manual Citation	Manual Title	<b>GRS 6.6, item 010</b>	
Manual Citation	Manual Title				
<b>GRS 6.6, item 010</b>					

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**Additional Information**

GAO Approval **Not Required**

**Proposed and final rule documents published in the Federal Register.**

Disposition Authority Number **DAA-GRS-2017-0012-0002**

Agency copy of rule forwarded to the Federal Register for publication, copy of published notice, and correspondence with the Office of the Federal Register generated at these rulemaking process milestones: • advance notice of proposed rulemaking (ANPRM) or notice of inquiry (NOI) inviting participation to help shape a rule still in development • notice of proposed rulemaking (NPRM) to add a new rule or to amend or repeal an existing rule • supplemental notice of proposed rulemaking (SNPRM) or further notice of proposed rulemaking (FNPRM), soliciting comment on a proposed rule significantly altered in response to comments received in response to the NPRM • notice responding to summarized comments • final rule, interim final rule, or direct final rule

Final Disposition **Temporary**

Item Status **Inactive**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **No**

Manual Citation	Manual Title
GRS 6.6, item 020	

Inactive Status Explanation **Item was rescinded via GRS Transmittal 31.**

**Disposition Instruction**

Retention Period **Destroy 1 year after publication, but longer retention is authorized if required for business use.**

**Additional Information**

GAO Approval **Not Required**

**Public comments.**

Disposition Authority Number **DAA-GRS-2017-0012-0003**

Public comments agency receives in response to a proposed rule, provided that agency retains a summary of those comments with the rulemaking docket in a

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docket management system. Exclusion: If the agency does not create a summary of comments, it must schedule individual comments as part of the final rule case file or docket.

Final Disposition Temporary

Item Status Inactive

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes

Do any of the records covered by this item exist as structured electronic data? Yes

Manual Citation	Manual Title
GRS 6.6, item 030	

Inactive Status Explanation Item was rescinded by GRS Transmittal 31.

Disposition Instruction

Retention Period Destroy 1 year after publication of final rule or decision to abandon publication, but longer retention is authorized if required for business use.

Additional Information

GAO Approval Not Required

Federal Register notices other than proposed and final rules.

Disposition Authority Number DAA-GRS-2017-0012-0004

Records of notices announcing public stakeholder meetings, hearings, investigations, petition filing, application filing, license issuance, license revocation, grant application deadlines, environmental impact statement availability, delegations of authority, hours of public opening, use of an agency's seal, guidance, System of Records Notices (SORNs), Paperwork Reduction Act Information Collection Requests (PRA ICRs), and other matters not codified in the Code of Federal Regulations. Note 1: SORNs per se are covered by GRS 4.2, item 150. Note 2: PRA Information Collection reports are covered by GRS 5.7, item 050. Note 3: Notices of meetings of committees established under the Federal Advisory Committee Act (FACA) are covered by GRS 6.2, item 050.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

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Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **Yes**

Manual Citation	Manual Title
GRS 5.7, item 070	

GRS or Superseded Authority Citation **N1-GRS-87-017 / 1/A**

**Disposition Instruction**

Retention Period **Destroy when 1 year old, but longer retention is authorized if required for business use.**

**Additional Information**

GAO Approval **Not Required**

**Agency input into the unified agenda.**

Disposition Authority Number **DAA-GRS-2017-0012-0005**

Records that process agency input into the publication of: • The Unified Agenda of Federal Regulatory and Deregulatory Actions (also known as the “unified agenda” or “semiannual regulatory agenda”) published by General Services Administration (GSA) with input from the Office of Management and Budget (OMB) • agency regulatory flexibility agendas • The Regulatory Plan Exclusion: Compiled records received by GSA, OMB, and the Office of the Federal Register; those entities must schedule these records.

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **Yes**

Do any of the records covered by this item exist as structured electronic data? **Yes**

Manual Citation	Manual Title
GRS 5.7, item 080	

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GRS or Superseded Authority  
Citation

**N1-GRS-87-017 / 1/B**

Disposition Instruction

Retention Period

**Destroy when 2 years old, but longer retention is  
authorized if required for business use.**

Additional Information

GAO Approval

**Not Required**

## Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

## Signatory Information

Date	Action	By	Title	Organization
07/24/2017	Certify	Laurence Brewer	Director, National Records Management Program	National Archives and Records Administration - National Records Management Program
09/13/2017	Submit for Concurrency	Galen Wilson	Senior Appraisal Archivist	National Archives and Records Administration - Records Management Services
09/20/2017	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
09/20/2017	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
09/22/2017	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist



## GENERAL RECORDS SCHEDULE 6.6: Rulemaking Records

Rulemaking is defined by the Administrative Procedure Act (APA) as the “agency process for formulating, amending, or repealing a rule” (5 U.S.C. 551(5)). This process results in the agency issuing a final regulation, which it publishes in the *Federal Register* and codifies in the Code of Federal Regulations. This schedule covers certain records created in that process. It also covers records documenting public notices that do not relate to rules and regulations but that agencies disseminate via publication in the *Federal Register*.

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Item	Records Description	Disposition Instruction	Disposition Authority
010	<p><b>Records of proposed rule development.</b>            Records of internal development of agency rules in preparation for <i>Federal Register</i> publication as a proposed rule, including case files that result in final rules, case files that do not result in final rules, and case files of exemptions to rules. Includes:</p> <ul style="list-style-type: none"> <li>• briefing papers and options papers presented to management</li> <li>• rule/regulation drafts presented to management</li> <li>• internal comments in response to drafts presented to management</li> <li>• stakeholder input</li> <li>• analyses</li> <li>• clearances</li> <li>• summary sheets</li> <li>• background and supporting materials</li> <li>• records documenting a notice of inquiry (NOI) advance notice of proposed rulemaking (ANPRM), or request for information (RFI) in the <i>Federal Register</i> inviting comments on a not-yet-proposed rule, and comments received in response</li> <li>• concept releases</li> <li>• petitions to issue, amend, or repeal a rule</li> <li>• petitions for exemption</li> </ul>	<p><b>Temporary.</b> Destroy 6 years after publication of final rule or decision to abandon publication, but longer retention is authorized if required for business use.</p>	<p>DAA-GRS-2017-0012-0001</p>

Item	Records Description	Disposition Instruction	Disposition Authority
	<ul style="list-style-type: none"> <li>• decision memoranda</li> <li>• reports and white papers</li> <li>• meeting minutes documenting evaluation of options and decisions made</li> <li>• workplans and timelines</li> <li>• correspondence</li> </ul> <p><b>Note:</b> GRS 5.2, item 020, covers “drafts produced...for...internal discussion, reference, or consultation.”</p> <p><b>Exclusion:</b> Schedule and retain as part of a docket any records this item describes that the agency incorporates into that docket.</p>		
020	<p><b>Proposed and final rule documents published in the <i>Federal Register</i>.</b>  Agency copy of rule forwarded to the <i>Federal Register</i> for publication, copy of published notice, and correspondence with the Office of the Federal Register generated at these rulemaking process milestones:</p> <ul style="list-style-type: none"> <li>• advance notice of proposed rulemaking (ANPRM) or notice of inquiry (NOI) inviting participation to help shape a rule still in development</li> <li>• notice of proposed rulemaking (NPRM) to add a new rule or to amend or repeal an existing rule</li> <li>• supplemental notice of proposed rulemaking (SNPRM) or further notice of proposed rulemaking (FNPRM), soliciting comment on a proposed rule significantly altered in response to comments received in response to the NPRM</li> <li>• notice responding to summarized comments</li> <li>• final rule, interim final rule, or direct final rule</li> </ul>	<p><b>Temporary.</b> Destroy 1 year after publication, but longer retention is authorized if required for business use.</p>	<p>DAA-GRS-2017-0012-0002</p>
030	<p><b>Public comments.</b>  Public comments agency receives in response to a proposed rule, provided that agency retains a summary of those comments with the rulemaking docket in a docket management system.</p>	<p><b>Temporary.</b> Destroy 1 year after publication of final rule or decision to abandon publication, but longer retention is authorized if required for business use.</p>	<p>DAA-GRS-2017-0012-0003</p>

Item	Records Description	Disposition Instruction	Disposition Authority
	<p><b>Exclusion:</b> If the agency does not create a summary of comments, it must schedule individual comments as part of the final rule case file or docket.</p>		
040	<p><b>Federal Register notices other than proposed and final rules.</b>  Records of notices announcing public stakeholder meetings, hearings, investigations, petition filing, application filing, license issuance, license revocation, grant application deadlines, environmental impact statement availability, delegations of authority, hours of public opening, use of an agency's seal, guidance, System of Records Notices (SORNs), Paperwork Reduction Act Information Collection Requests (PRA ICRs), and other matters not codified in the Code of Federal Regulations.</p> <p><b>Note 1:</b> SORNs <i>per se</i> are covered by GRS 4.2, item 150.</p> <p><b>Note 2:</b> PRA Information Collection reports are covered by GRS 5.7, item 050.</p> <p><b>Note 3:</b> Notices of meetings of committees established under the Federal Advisory Committee Act (FACA) are covered by GRS 6.2, item 050.</p>	<p><b>Temporary.</b> Destroy when 1 year old, but longer retention is authorized if required for business use.</p>	DAA-GRS-2017-0012-0004
050	<p><b>Agency input into the unified agenda.</b>  Records that process agency input into the publication of:</p> <ul style="list-style-type: none"> <li>• The Unified Agenda of Federal Regulatory and Deregulatory Actions (also known as the "unified agenda" or "semiannual regulatory agenda") published by General Services Administration (GSA) with input from the Office of Management and Budget (OMB)</li> <li>• agency regulatory flexibility agendas</li> <li>• The Regulatory Plan</li> </ul> <p><b>Exclusion:</b> Compiled records received by GSA, OMB, and the Office of the Federal Register; those entities must schedule these records.</p>	<p><b>Temporary.</b> Destroy when 2 years old, but longer retention is authorized if required for business use.</p>	DAA-GRS-2017-0012-0005

New GRS 6.6				Old GRS			
GRS No.	Item No.	Retention	ERA Number/ Disposition Authority	GRS No.	Item No.	Retention	Disposition Authority
6.6	010	6 years	DAA-GRS-2017-0012-0001	New item			
6.6	020	1 year	DAA-GRS-2017-0012-0002	New item			
6.6	030	1 year	DAA-GRS-2017-0012-0003	New item			
6.6	040	1 year	DAA-GRS-2017-0012-0004	16	13a	1 year	N1-GRS-87-17 item 1a
6.6	050	2 years	DAA-GRS-2017-0012-0005	16	13b	2 years	N1-GRS-87-17 item 1b