

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

[NARA-2014-055]

**Records Management; General Records Schedules (GRS); GRS Transmittal**

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

**ACTION:** Notice of new General Records Schedules (GRS) Transmittal 23.

**SUMMARY:** NARA is providing notice that it is issuing a new General Records Schedules (GRS) Transmittal. The GRS provides mandatory disposition instructions for administrative records common to several or all Federal agencies. Transmittal 23 announces changes to the GRS made since Transmittal 22 was published in April 2010. NARA is completely rewriting the GRS over the course of a five-year project. The master plan for that project was published in 2013 under records management memo AC 02.2013 (<http://www.archives.gov/records-mgmt/memos/ac02-2013.html>). The plan has since morphed in some details but its major outlines remain solid. Transmittal 23 is the first installment of the new GRS.

**DATES:** This document is effective on the date of publication in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For information about this notice or to obtain non-electronic copies of the GRS, contact Kimberly Keravuori, Agency Regulations Program Manager, at [regulations\\_comments@nara.gov](mailto:regulations_comments@nara.gov), or by telephone at 301.837.3151.

You may contact NARA's GRS Team (within Records Management Services in the National Records Management Program, Office of the Chief Records Officer) with general questions about the GRS at [GRS\\_Team@nara.gov](mailto:GRS_Team@nara.gov).

Your agency's records officer may contact the NARA appraiser or records analyst with whom your agency normally works for support in carrying out this transmittal. A list of the appraisal and scheduling work group and regional contacts is posted on the NARA Web site at <http://www.archives.gov/records-mgmt/appraisal/index.html>.

**SUPPLEMENTARY INFORMATION:**

**What is GRS Transmittal 23 and how do I use it?**

GRS Transmittal 23, disseminated to all agencies' records management officials and posted on NARA's Web site at <http://www.archives.gov/records-mgmt/grs/>, contains:

- Five new schedules, each with schedule-specific FAQs and a crosswalk from new to old schedules
- old schedules annotated to show which items are still authoritative and

which are superseded by items in new schedules

- a crosswalk for old to new GRS items
- four FAQ documents (general; about the GRS Update Project; about the impact of the new GRS on agencies; and about how, when, and the process by which agencies may deviate from the GRS), and
- a checklist for implementing the new GRS, to assist agencies in completing all the actions this Transmittal requires.

**What changes have been made to the GRS?**

Transmittal 23 publishes five new schedules:

- GRS 1.1 Financial Management and Reporting Records (DAA-GRS-2013-0003)
- GRS 1.2 Grant and Cooperative Agreement Records (DAA-GRS-2013-0008)
- GRS 3.1 General Technology Management Records (DAA-GRS-2013-0005)
- GRS 3.2 IT Systems Security (DAA-GRS-2013-0006)
- GRS 4.3 Input Records, Output Records, and Electronic Copies (DAA-GRS-2013-0001)

These schedules replace portions of old GRS 3, 4, 6, 7, 8, 9, 12, 16, 20, 23, and 24.

The most obvious changes are in format:

	Old GRS	New GRS
Schedule numbers ..	Simple succession: 1, 2, 3, etc .....	Decimal: 1.1, 1.2, 1.3, etc. Schedules of related topics are linked by sharing the same number to the left of the decimal point but differentiated by the number to the right of the decimal point.
Item numbers .....	Alpha-numeric hierarchy, for instance 1a1, 1a2, 2a1a, 2a2b.	Three digits, for instance 010, 020, 030. Closely related items sharing some description in common are numbered in immediate succession, such as 030, 031, 032, etc.
Layout .....	Narrative paragraphs. Read "down" to go from records description to records disposition.	Table. Read "across" to go from records description to records disposition.
Subject Index .....	Index was last updated in 2008. Even then, it was not thorough, and its usefulness was linked to paper format.	No index. Citations to new GRS items are not included in the current index, which will be phased out over time. Search for key words in pdf file instead.

Because the entire change from old to new is taking place gradually over five years, the GRS during this interim period will necessarily include both old and new formats. New schedules (decimal numbers, table format) come first in the new transmittal, followed by the old schedules ("straight" numbers,

narrative format) annotated to show which items are still current and which have been superseded by new schedules.

**What GRS items are rescinded by Transmittal 23?**

Many old GRS items are superseded by new GRS items. A few old items,

however, have outlived their usefulness and cannot be crosswalked to new items. Therefore, these items are rescinded by Transmittal 23. Full explanation of why items have been rescinded is discussed in the FAQs for the new schedule to which they are most closely related.

GRS	Items	Title	FAQ in which discussed
3 .....	3b .....	Obligation copy of routine procurement files .....	1.1
3 .....	15a .....	Contract appeal case files prior to October 1979 .....	1.1

GRS	Items	Title	FAQ in which discussed
3 .....	16 .....	Contractor's statement of contingent or other fees .....	1.1
6 .....	2 .....	GAO exceptions .....	1.1
6 .....	6a1-6a2 .....	Federal personnel surety bonds .....	1.1
6 .....	6b .....	Other bonds .....	1.1
6 .....	9 .....	Telegrams supporting telegraph bills .....	1.1
8 .....	7b1-7b3 .....	Cost report data files .....	1.1
20 .....	2a1-2a3 .....	Input/source records: Certain hard copy records .....	4.3
20 .....	3a, 3b1-3b5 .....	Electronic records replacing temporary hard copy records .....	4.3
20 .....	3.1 .....	Electronic records replacing permanent hard copy records .....	4.3

Rescinded items are shown in context of their schedules in the old-to-new crosswalk.

#### How do I cite new GRS items?

When you send records to a Federal Records Center for storage, you should cite its legal authority: The "DAA" number in the "Disposition Authority" column of the table. For instance: DAA-GRS-2013-0001-0004. For informal purposes, cite by schedule and item number. The above DAA number equates to "GRS 4.3, item 020."

#### Do I have to take any action to implement these GRS changes?

NARA regulations (36 CFR 1226.12(a)) require agencies to disseminate GRS changes within 6 months of receipt.

Per 36 CFR 1227.12(a)(1), you must follow GRS dispositions that state they must be followed without exception.

Per 36 CFR 1227.12(a)(3), if you have an existing schedule that differs from a new GRS item that does *not* require being followed without exception, and you wish to continue using your agency-specific authority rather than the GRS authority, you must notify NARA within 120 days of the date of this Transmittal.

If you do not have an already existing agency-specific authority but wish to apply a retention period that differs from that specified in the GRS, you must create a records schedule in the Electronic Records Archives and submit it to NARA for approval.

#### How do I get copies of the new GRS?

The complete current GRS, in PDF format, can be downloaded from NARA's Web site at <http://www.archives.gov/records-mgmt/grs/index.html>.

Dated: September 4, 2014.

**David S. Ferriero,**

*Archivist of the United States.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. IA-14-025-EA; ASLBP No. 14-932-02-EA-BD01]

### In the Matter of James Chaisson (Enforcement Action); Notice of Hearing and Initial Scheduling Order

September 8, 2014.

Atomic Safety and Licensing Board

Before Administrative Judges: Alex S. Karlin, Chairman, Michael M. Gibson and Dr. Gary S. Arnold

#### I. Introduction

This proceeding concerns a July 11, 2014 enforcement order issued by Patricia K. Holahan, Acting Director, Office of Enforcement of the U.S. Nuclear Regulatory Commission (Director) against Mr. James P. Chaisson.<sup>1</sup> The Director alleges that Mr. Chaisson failed to comply with certain provisions of a confirmatory order that the Director issued to him in 2012 (2012 Order). *Id.* at 42,058. Mr. Chaisson requested an "expedited hearing"<sup>2</sup> and filed an answer denying certain aspects of the 2014 Order.<sup>3</sup> The Director filed an answer to Mr. Chaisson's answer.<sup>4</sup> The Director does not oppose Mr. Chaisson's request for a hearing. *Id.*

Pursuant to 10 CFR 2.329(a), on August 26, 2014, this Board conducted the initial scheduling conference in this matter.<sup>5</sup> Our purpose was to discuss the development of an initial scheduling order (ISO) that would help achieve the just resolution of this dispute as efficiently and expeditiously as possible. The conference was conducted telephonically. The Director was represented in the conference by the NRC's Office of General Counsel. Mr.

<sup>1</sup> In the Matter of James Chaisson, 79 FR 42,057 (July 18, 2014) (2014 Order).

<sup>2</sup> Email from James Chaisson to NRC Hearing Docket (July 18, 2014).

<sup>3</sup> Request for Hearing Submitted by James Chaisson (Aug. 4, 2014) (Hearing Request).

<sup>4</sup> NRC Staff Answer to Request for Hearing (Aug. 15, 2014) (Director's Answer).

<sup>5</sup> See Order (Scheduling Initial Prehearing Conference) (Aug. 14, 2014) (unpublished).

Chaisson participated without representation.<sup>6</sup>

During the initial scheduling conference, Mr. Chaisson withdrew his request that the hearing be expedited. Tr. at 27, 65-66. Mr. Chaisson's request for expedition was based on his concern that he would not be able to continue working if the 2014 Order went into effect before the hearing.<sup>7</sup> However on August 14, 2014, the Director informed Mr. Chaisson that the 2014 Order "is not effective until the Atomic Safety and Licensing Board rules on your hearing." Director's Answer at 1 n.3. During the conference call, counsel for the Director confirmed that Mr. Chaisson's current responsibilities in his current job are not prohibited by the 2014 Order (because it is not in effect) or by the 2012 Order. Tr. at 25. On that basis, Mr. Chaisson withdrew his request to expedite the hearing. Tr. at 27, 65-66.

In addition, during the initial scheduling conference, the parties acknowledged that 10 CFR part 2, Subpart G (the regulations applicable to enforcement proceedings) govern this adjudication.<sup>8</sup> Accordingly, this ISO is based, in part, on the Subpart G regulations.

<sup>6</sup> Given that Mr. Chaisson is unrepresented, the Board will carefully scrutinize any agreement or consent by him purporting to waive or abandon any of his substantive or procedural rights. See Order (Scheduling Initial Prehearing Conference) (Aug. 14, 2014) (unpublished) at 4 n.5. We will look to see if any such consent or waiver is fully informed. Director's counsel should be especially scrupulous in informing Mr. Chaisson of the nature and extent of the rights that they might suggest that he waive or abandon. We also reminded counsel that their ethical duty of candor (*e.g.*, their duty to disclose to this tribunal any relevant information and/or legal authority that is adverse to the Director's position) is especially important in cases such as this one, where the target of the government's enforcement action is not represented by counsel. See Model Rules of Professional Conduct R. 3.3(a)(3); 10 CFR 2.323(d) and 2.314.

<sup>7</sup> Emails from James Chaisson to NRC Hearing Docket (Aug 4, 2014, 17:14 EDT; Aug. 6, 2014).

<sup>8</sup> Tr. at 38. See 10 CFR 2.310(b) ("Proceedings on enforcement matters must be conducted under the procedures of subpart G of this part, unless all parties agree [otherwise].")