

## **Frequently Asked Questions (FAQs) about GRS 6.1, Email and Other Electronic Messages Managed under a Capstone Approach**

These FAQs provide additional information for agencies implementing GRS 6.1, *Email and Other Electronic Messages Managed under a Capstone Approach*.

Agencies adopting a Capstone approach should also consult [other resources available from NARA](#) related to email and electronic records management, and specifically the Capstone approach. Agencies should also supplement use of GRS 6.1 with agency-wide policies and training, and incorporate the schedule and its requirements into agency records management implementation tools (such as manuals and file plans). (See [FAQ 30](#) for more information.)

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## **GENERAL**

### **1. What is the purpose of GRS 6.1?**

This schedule:

- Provides disposition authority for email records managed by those agencies who wish to adopt a role-based (Capstone) approach as outlined in [NARA Bulletin 2013-02: Guidance on a New Approach to Managing Email Records \[Capstone\]](#).
- Provides disposition authority for certain other types of electronic messages, for those agencies who wish to expand their role-based approach beyond just email as outlined in [NARA Bulletin 2023-02: Expanding the use of Role-Based \(Capstone\) Records Management Approach](#).

### **2. Who should I contact for more information about this schedule?**

You may contact NARA's General Records Schedules Team at [GRS\\_Team@nara.gov](mailto:GRS_Team@nara.gov) with questions about this schedule.

### **3. How does an agency document that it is using GRS 6.1?**

To ensure proper oversight and accountability, agencies wishing to use this GRS must first get approval of the form [NA-1005, Verification for Implementing GRS 6.1](#) from NARA. This form will document:

- Whether or not the agency wishes to also apply this GRS to other types of electronic messages, as defined by the GRS scope;
- Which items from the GRS the agency wishes to use;
- General implementation scope and background information, such as cutoff and transfer instructions for permanent records; and
- Those roles and positions that fit the 10 categories defined in item 010, Email and Other Electronic Messages of Capstone Officials.

Instructions for filling out and submitting the form are available on the form NA-1005 itself.

### **4. Do all agencies have to follow this GRS?**

No. Agencies are not required to use this GRS. However, if an agency chooses to use one or more items in this GRS, it must submit a form NA-1005 and may not deviate from the schedule's scope. If an agency wants to deviate from the GRS, then the agency may request authority to implement a Capstone approach that differs from this GRS by submitting an agency-specific records schedule to NARA.

Reasons agencies may wish to submit an agency-specific schedule can include, but are not limited to:

- The agency can justify that it is appropriate to exclude one or more of the officials required for inclusion in item 010, Email and Other Electronic Messages of Capstone Officials;
- The agency can justify a transfer date longer than the maximum in item 010;
- The agency can justify a shorter retention for records covered by items 011 and/or 012;
- The agency wishes to apply the Capstone approach to other types of electronic messages specifically excluded from this GRS; and/or

- The agency generally wants to propose a scope that differs from that of this GRS.

We encourage agencies to discuss scheduling options with their [NARA Appraisal Archivist](#).

## **5. May an agency implement portions of this GRS?**

Yes. An agency has important scope and implementation decisions to make when deciding to use this GRS, and must document these on the form NA-1005 for NARA review and approval.

First, an agency must determine if they are applying the GRS only to email records, or also to the other types of electronic messages included in the scope of the GRS. This is documented in the “GRS Implementation Scope” field of the form NA-1005. If an agency is not using the GRS for other types of electronic messages, they should select “no (email only)” for this field. Those agencies that select “yes” are required to complete the “Electronic Messages” tab on the form NA-1005.

Secondly, an agency must determine which of the three items from the GRS they are using; an agency may use any or all of the items on this GRS. If applying this GRS in part (for example, only using item 011), agencies must ensure that all other records are covered by another NARA- approved disposition authority. Agencies that are using only item 011 or 012 may not dispose of the records of any official listed in item 010, Email and Other Types of Electronic Messages of Capstone Officials, without authority from NARA in the form of another GRS or an agency-specific schedule. An agency must still submit form NA-1005 for approval in order to use either only the permanent item or only the temporary items of this GRS.

This flexibility supports those agencies that may want to implement Capstone in phases. Some agencies may find it practical to initially limit their overall Capstone approach to permanent email (item 010) and add management of temporary email and other types of electronic messages within their overall Capstone approach later.

## **6. If an agency is using this GRS for electronic messages, may it only apply the GRS to certain records listed in the inclusions section of the scope?**

No. Agencies using GRS 6.1 for the other types of electronic messages included in the scope must apply it to all those types if they are being created, as well as to all ten categories included within the scope of the GRS. For example, if an agency has chat associated with email as well as text messages on personal devices, they cannot choose to apply the GRS only to the chat messages and not to the text messages. They must apply the GRS to all forms of other electronic messages they have that are covered by the GRS.

This will simplify implementation, by treating all records used for similar purposes the same in

terms of disposition authority and will achieve consistency in how records are managed within federal agencies.

**7. If an agency is not creating all of the types of electronic messages listed as inclusions within the GRS scope can it still use GRS 6.1?**

Yes. In these instances, an agency should still select “Yes” within the “GRS Implementation Scope” field on the form NA-1005 even if they don’t create all of the electronic message types included in the scope of the GRS.

Those agencies that selected “yes” are then required to complete the “Electronic Messages” tab within Part B of the form. See the form for instructions on completing this section.

**8. What does this GRS mean when using the term “official”?**

In context of this GRS, the term “official” includes all federal agency employees, regardless of their appointment type (such as part-time employees, student employees, term employees, temporary employees, volunteers, interns, and members of the military), who create federal records.

Officials under this GRS also include contractors that create federal records in the course of performing their contract. Agencies determine whether contractor-created and -received records meet the definition of a federal record defined in the Federal Records Act. Agencies must capture and manage contractor-created or -received federal records appropriately, as with other federal records. In situations where contractor employees are embedded in the agency and assigned agency email accounts (in contrast to situations where contractors fulfill the terms of a contract by providing a service from outside of the agency), the agency should manage those accounts in accordance with the GRS. Agencies should include records management requirements and provisions on retaining federal records in contract agreements (36 CFR 1222.32).

**9. Which officials are designated as Capstone Officials by this GRS?**

Your agency must document its Capstone officials and submit that information to NARA on form NA- 1005. This form includes detailed instructions to help you identify your agency’s officials.

Capstone officials are officials (such as those high on the organization chart) generally responsible for agency and program policy- and mission-related actions. Capstone officials vary agency by agency depending on an agency’s organization and how it carries out agency roles. Some agencies will have more Capstone officials than others.

Federal agencies utilize a variety of titles for Capstone officials. Agencies using item 010 of this schedule must *identify their equivalents* for those positions described within each category provided in the item's description (when applicable).

Cabinet-level agencies implementing a Capstone approach that includes their components or operatives must apply the definition of official to each component separately. For this purpose, the agency should treat each component or operative as though it were a separate agency.

A general rule of thumb for identifying officials is that every record group (RG) the agency includes in the Capstone implementation should have its own group of Capstone officials.

If you need additional help to identify your agency's Capstone officials, please contact your [NARA Appraisal Archivist](#).

## **QUESTIONS ABOUT "CERTAIN OTHER TYPES OF ELECTRONIC MESSAGES"**

### **10. Why is NARA incrementally expanding Capstone, and excluding some types of electronic messages from this GRS?**

The universe of electronic messages is very broad. By limiting the scope of electronic messages covered by the GRS, it allows for the incremental expansion of the Capstone approach as NARA gains a better understanding of how agencies use messaging applications.

NARA determined that electronic messages that are typically affiliated with other records – and rely on those other records to understand context – should be excluded. For example:

- Chat messages affiliated with collaboration platforms lose their value when separated from other records on the collaboration platform, such as a project file;
- Chat messages affiliated with a video conferencing service lose their value when separated from the related records, such as the video recording itself.

Not having these exclusions would result in agencies having to capture, as a permanent record, any chat in collaboration platforms or video conferences which even one Capstone official participates.

It is important to reiterate that the electronic messages excluded in this GRS may still be federal records. They should be disposed of with other GRS or agency-specific schedules. If an agency determines that a Capstone approach is appropriate for these types of messages, they may submit an agency-specific schedule proposing to expand upon the scope provided within the GRS.

**11. What are examples of the certain other types of electronic messages included and excluded in the scope of “electronic messages”?**

Below is a non-exhaustive list of examples of applications and platforms that create the types of records that are included and excluded in the scope section of the GRS:

<b>Included in the Scope</b>	
<b>Scope</b>	<b>Examples</b>
Messages affiliated with email system chat or messaging functions, and where the messages are managed independently from the email	Google Chat, Microsoft Outlook Chat, etc.
Messages from messaging services provided on mobile devices	Messages on IOS or Android devices, etc. This category generally includes any stand-alone text feature on mobile devices that usually don’t require additional download.
Messages from messaging services on third-party applications	WhatsApp, Signal, Telegram, WeChat, SnapChat, etc.

<b>Excluded from the Scope</b>	
<b>Exclusion</b>	<b>Examples</b>
Messages affiliated with social media accounts / social media direct messaging services	Facebook (Facebook Messenger), Twitter, Instagram, TikTok, YouTube, etc.
Messages affiliated with messaging services provided on video conferencing applications and services	Zoom, YouTube, Skype, Google Meet / Hangouts, GoToMeeting, Cisco WebEx, etc.
Messages affiliated with collaboration platforms	Microsoft Teams, SharePoint, etc.
Messages affiliated with applications whose primary purpose is not communication	Finance management system that contains a messaging feature

## **12. Are the other types of electronic messages all just transitory?**

No. Agencies should consult the [FAQ about Transitory Records in Electronic Messages](#) before determining if any records are transitory.

## **13. What if my agency automatically forwards all electronic messages into each individual users' email account?**

In these instances, the messages should be managed as email records. This would also be the case for any message types, including voicemail, that are otherwise excluded from the scope of this GRS.

## **QUESTIONS RELATED TO PERMANENT EMAIL AND OTHER TYPES OF ELECTRONIC MESSAGES**

### **14. What is meant by "Cutoff and transfer in accordance with the agency's approved form NA-1005, *Verification for Implementing GRS 6.1*. This will be between 15 and 30 years, or after declassification review (when applicable), whichever is later." within the disposition instructions for item 010?**

Agencies have varying business needs and will adopt unique Capstone implementation plans that may affect when they cutoff (consider the records inactive) email and/or other types of electronic messages. This language allows an agency to define both their cutoff and transfer instructions on the form NA-1005 by selecting the option that meets their business needs.

Cutoff instruction options on the form NA-1005 include:

- Cutoff at the end of the calendar year;
- Cutoff at the end of the fiscal year;
- Cutoff at the end of employee tenure;
- Cutoff at the end of the current administration; or
- Other (discuss with your NARA Appraisal Archivist during review)

Transfer instruction options on the form NA-1005 include:

- Transfer 15 years after cutoff, or after declassification review, whichever is later;
- Transfer 20 years after cutoff, or after declassification review, whichever is later;
- Transfer 25 years after cutoff, or after declassification review, whichever is later;
- Transfer 30 years after cutoff, or after declassification review, whichever is later; or
- The above options, but with 5-year blocking.

This flexibility also allows agencies to block (or batch) the records to reduce the number of transfers to NARA. Agencies that do not wish to transfer annually may find blocking beneficial;

specifically, an agency could transfer records in five-year blocks instead. If the first five-year block spans from 2015 through 2020, and the agency was transferring permanent email 15 years after cutoff, then the agency would transfer the email in 2035 (15 years after the cutoff date of the most recent records). They would next transfer email in 2040, which would cover email from 2021 through 2025. And so on.

The transfer date should be determined in conjunction with the cutoff instructions, as the two complete the full transfer instructions. Examples of full instructions include, but are not limited to:

Cut off...	Transfer...	In this example...
At the end of the calendar year	To NARA 15 years after cutoff	Records from calendar year 2015 would be transferred in 2030
At the end of employee tenure	To NARA 25 years after cutoff	Records from individuals whose tenure ended in 2015 would be transferred in 2040
At the end of the current administration	To NARA 20 years after cutoff	Records from the 2017 to 2020 administration would be transferred in 2040
At the end of calendar year	To NARA in 15 years in 5-year blocks	Records from 2015 through 2020 would be transferred in 2035; records from 2021 through 2025 would be transferred in 2040
At end of employee tenure	To NARA in 5-year blocks 15 years after cutoff	Records from individuals whose tenure ended in 2015 through 2020 would be transferred in 2035; records from individuals whose tenure ended in 2021 through 2025 would be transferred in 2040

Specific to classified email and/or other types of electronic messages, the records must be reviewed prior to transfer to NARA (as with any classified permanent records). Classified email is typically reviewed at 25 years based on standing Executive Orders.

**15. What specific positions are included in category seven, Principal Regional Officials, under item 010?**

This category may not apply to all agencies, even if they have offices outside of their



headquarters. This category is reserved for those positions that have complete oversight and responsibility spanning a larger region (such as, multiple states or specific geographic area) in carrying out mission-critical activities.

For example, an agency may have 10 regions, each with a Regional Administrator that is responsible for mission-critical activities within that region's jurisdictions – these 10 Regional Administrators would fall into this category. Heads (regardless of title) of offices outside of headquarters, but not under a regionalized structure, are not included in this category. For example, it does not pertain to the heads of individual offices in the field, such as, but not limited to, customer service centers, processing centers, or administrative offices that conduct routine activities (e.g., passport offices, or Social Security claims processing offices, IRS service centers, commissaries).

Agencies may discuss the scope of this category with their NARA Appraisal Archivist during review of their form NA-1005.

**16. Under category ten of item 010, how do agencies determine what additional roles and positions they should include as Capstone officials?**

Category ten, "Additional roles and positions that predominantly create permanent records related to mission-critical functions or policy decisions and/or are of historical significance," is a catch-all category for those roles and positions whose email is appropriate for permanent retention, but not represented in the other nine categories. This could include email of staff in lower level positions, email related to functions in lower-level offices, or email in "service" accounts that agencies use to disseminate policy. For example, an agency with mission-centric task forces should include the head of each task force within this category if not captured in other categories. As with the other categories, the agency must include these roles and positions on its form NA-1005 if it has them.

It is possible that an agency will have no roles and positions for this category.

**17. Does the GRS apply if Capstone officials have more than one email or messaging account or if their email and/or electronic messages are managed by other staff (such as special assistants, confidential assistants, military assistants, or administrative assistants)?**

Yes. Capstone officials often have multiple email or messaging accounts, either based on their titles (for example, [ArchivistOfTheUnitedStates@nara.gov](mailto:ArchivistOfTheUnitedStates@nara.gov)), or managed by other staff members on their behalf. Agencies must designate all accounts affiliated with a Capstone official role or position as permanent. See category four within item 010.

You can find additional information on designating Capstone officials and email accounts in [NARA Bulletin 2013-03](#), Guidance for agency employees on the management of federal

records, including email accounts, and the protection of federal records from unauthorized removal.

**18. Are shared or program accounts covered under this GRS and could they be permanent?**

Yes. Shared or program accounts for email or electronic messages, often referred to as group accounts, are common within the federal government. They allow multiple people access to a specific account; for example, a single email account assigned to an entire program office, or a messaging account assigned to multiple staff to disseminate message blasts.

If any of these accounts involve a Capstone official or fall under category 10 of GRS 6.1, item 010, they should be managed as permanent and included on the form NA-1005. Otherwise, shared accounts can be temporary, and would be covered under items 011 and/or 012 of GRS 6.1.

To determine whether or not a shared account should be included as a permanent account, consider the following:

Scenario	Disposition
<p>The shared account relates to an office or function that otherwise produces permanent records outside of email or other electronic messages.</p> <p>For example, a shared electronic messaging account that allows multiple staff within a public affairs office to interact with the public.</p>	<p>Permanent. Include it in category 10.</p>
<p>The shared account relates to, or is checked by, staff that are otherwise Capstone (permanent) officials.</p> <p>For example, a group email account for the entire General Counsel’s office which is “owned” and utilized by the General Counsel.</p>	<p>Permanent. Include it in the appropriate category. In the example provided, this would be category 8, which already includes the General Counsel.</p>
<p>The shared account relates to an office or function that is administrative.</p> <p>For example, a group email account assigned to a finance office.</p>	<p>Temporary. Include in item 011 or 012.</p>

NOTE: the majority of an agency's shared or program accounts will likely fall into this category.	
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**19. Must agencies maintain a list of Capstone officials and their associated email addresses or messaging identifiers?**

Yes. Agencies should maintain an extended version of form NA-1005 that includes this additional information. Doing so will support the requirements in 36 CFR 1235.48, which requires agencies to include proper documentation when transferring permanent electronic records to NARA. The NA-1005 list will help agencies implement Capstone and export and transfer permanent records. Agencies should consider managing and keeping up-to-date a list of Capstone officials and their associated email addresses and/or identifiers for other messages as part of agency policy (one of NARA's recommended best practices). See also [FAQ 44](#) related to required documentation at the time of permanent records transfer.

**QUESTIONS RELATED TO TEMPORARY EMAIL AND OTHER TYPES OF ELECTRONIC MESSAGES**

**20. What is the difference between items 011 and 012?**

Item 011 covers all roles or positions that do not fit into the descriptions of either 010 or 012. This item is therefore appropriate for non-Capstone officials who have roles such as: overseeing and instructing workers on the job; reviewing work in progress; observing and securing worker compliance with procedures and methods; planning, revising, and coordinating programs; planning general workflow and methods; budgeting and financial oversight; and completing other mission-related tasks. The majority of temporary accounts should fall into this item.

Item 012 covers routine and/or administrative roles within an agency. Depending on an agency's unique organization, functions, and/or business needs, this item may be appropriate for only a limited number of roles. Agencies having difficulty determining whether item 012 is appropriate should use item 011.

Your agency should conduct a risk analysis to determine which roles and positions, if any, it should include in item 012, and should be able to produce this analysis if needed.

**21. Why are supervisory positions excluded from item 012?**

Supervisory positions are those that plan, assign, and review work, and evaluate performance. Because these positions tend to be involved in business and personnel decisions, we include them in item 011, which specifies a minimum retention period of seven years.

## **22. How does an agency determine if it should keep temporary records covered by items 011 and 012 longer than the prescribed minimum retention period?**

Items 011 and 012 each prescribe a minimum retention period, and both authorize agencies to dispose of covered records any time after the minimum retention period has ended. This allows an agency to make internal decisions on whether or not it should keep temporary records longer based on business and legal needs.

An agency should involve multiple stakeholders, such as its senior agency official for records management, general counsel, chief information officer, records officer, inspector general, etc., to determine the appropriate retention period for the agency's email and other types of electronic messages. This should include determining if the agency is subject to inspection, audit, legal, and other regulatory requirements that require a longer agency retention period to meet certain obligations. Ultimately, the agency will document and disseminate the retention period via agency policy and implementation tools. See [FAQ 30](#).

Agencies may determine that using only item 011 as one agency-wide retention period for all temporary records may better meet its business and legal needs and may be easier to implement. For example, an agency may decide that it should maintain all temporary accounts for seven years, regardless of the role or position of the person whose account they're in. Agencies choosing to use only item 011 for all temporary email may also maintain accounts longer for business needs (for example 15 years) without requesting additional authority from NARA.

## **23. Why is the minimum retention period for item 011 seven years?**

NARA has determined that seven years is a reasonable and appropriate baseline retention period for temporary email and other types of electronic messages, not only to meet agency business needs, but also to ensure agencies are adequately and properly documenting the policies and transactions of the federal Government. Preserving these records for this period should also generally allow the Government to adequately defend itself in litigation or vindicate a plaintiff's rights in the event the Government has infringed on them. This retention period is also consistent with most statutes of limitations on pursuing matters against the United States (usually six years or less), with recordkeeping requirements set by Congress (such as the seven-year retention period for audit-related records established in the financial reforms of Sarbanes-Oxley), and with the IRS's seven-year retention period for personal tax records (tied to the six-year statute of limitations for criminal violations of the tax code). These, and similar examples, led NARA to conclude that seven years is an appropriate baseline retention period for temporary email records. See FAQ 22 on when a longer- than-seven-year retention period might be appropriate for certain agencies. Agencies that wish to seek a shorter retention period must submit an agency-specific schedule.

This Capstone GRS allows agencies to elect a shorter retention period using item 012 (three years) for a limited group of specific roles and positions. Please refer to FAQ 20 for additional information.

## **QUESTIONS ABOUT IMPLEMENTATION**

### **24. Does this GRS apply to classified email and messaging accounts?**

Yes. This GRS applies to all records regardless of classification level. Agencies must include accounts on classified networks or systems within the relevant item on the GRS. For example, a Capstone official (permanent) with both classified and unclassified email accounts would have both included under item 010 of this GRS.

The transfer instructions within item 010 allow agencies to transfer permanent classified email in alignment with declassification review. Agencies often don't review classified records until just prior to the automatic declassification date, which occurs when they are 25 years old. If an agency completes its review earlier than 25 years but after 15 years, the agency should consult with NARA about when to transfer the records.

### **25. Does this GRS include calendars, appointments and tasks?**

Some agencies may not be able to separate email records from other affiliated records, such as calendars, appointments and tasks. In these cases, the agency can include the other records under the Capstone GRS. Inclusion of these records with email or other types of messages should be noted on the NA-1005 in the scope field. However, when the agency manages these other records separately from email or other types of electronic messages, the agency must have a NARA-approved disposition authority for those records (GRS 5.1, item 010, only covers calendars of non-Capstone officials).

### **26. How does this GRS affect NARA or agency requirements to file email or other types of messages with other related federal records?**

When using the Capstone approach for capturing and managing email and other types of electronic messages, agencies must consider whether email and other types of electronic messages (and attachments) can or should be associated with related records under agency guidance. As a supplement to the Capstone approach, an agency may want or need to associate certain email and other types of electronic messages that relate to other records, such as case files or project files, with the related records. This consideration depends on an agency's needs and how it chooses to implement its Capstone approach. This may be

accomplished by (1) using electronic pointers (such as metadata tags) to establish linkages, or (2) in select cases, filing with associated paper or electronic case or project files.

**27. Why do we only include acting Capstone officials in item 010 if they are acting for longer than 60 days?**

The requirement to designate email belonging to acting Capstone officials as permanent only after they have served more than 60 days is in line with other government regulations and policies, such as the Office of Government Ethics requirements for filing financial disclosure forms. The presumption is that individuals acting in a position for more than 60 days are carrying out the duties of the position, while individuals acting for less than 60 days are serving primarily in an administrative role.

**28. Are there any exceptions to the requirement to designate any acting official as a Capstone official after 60 days or more?**

If an individual is on leave for 60 days and will be returning to their position, agencies may require the acting official to copy the Capstone official on emails and may choose not to formally designate the acting individual as a Capstone official. This approach ensures the emails are captured in accordance with the GRS requirement that individuals acting for more than 60 days email is captured. Also, in many situations the individual in an acting capacity may already be a Capstone official themselves. This effectively means their emails are already captured and managed by the agency, negating the need for additional action by the records officer.

A position may become vacant and acting individuals may fill the position on a rotating basis for less than 60 days. If those acting individuals are performing the full scope of duties of the position, their emails should be captured as Capstone records under item 010.

**29. What are additional considerations when implementing the requirement for capturing acting Capstone officials' emails?**

Each agency should issue additional policies on how to handle the designation and capture of emails of officials in acting positions. Agencies also need to ensure that emails of acting Capstone officials are captured for their full tenure as acting, not just beginning on the 61st day.

**30. How can an agency incorporate this GRS into its implementation tools and policies?**

Best practices include the use of internal implementation tools, such as manuals, handbooks, and/or file plans, for records management execution. As with any GRS, the items should be

incorporated into these tools and expanded to include agency-specific information and policies. Agencies should also implement policy around their Capstone approach, to incorporate additional agency specific email and messaging guidance that does not require NARA approval. For example, this could include:

- Clearly defining the retention period for temporary email and other types of electronic messages in policy and agency manuals, since the GRS authorizes banding;
- Developing and implementing policy related to cross-filing requirements; for example, a policy that may require that certain email be cross-filed within permanent case files;
- Developing and implementing policy related to instances where temporary email or other types of electronic messages may need to be retained for a longer period than prescribed by the GRS and supporting agency policy;
- Developing and Implementing policy on the use of Government accounts for personal purposes;
- Defining the Capstone (permanent) accounts/addresses for the agency with more specificity than included in item 010, Email and Other Electronic Messages of Capstone Officials, (for example, those positions and officials specific to your agency). NA-1005 is a tool for this;
- Providing additional policy on how to handle email and messages of officials in an acting position;
- Providing policy on managing non-record email and other types of electronic messages;
- Developing policy on when other disposition authorities related to email and other types of electronic messages are appropriate for use, such as the GRS item for transitory records;
- Developing policy related to culling and other opportunities to apply records management to email and other types of electronic messages (See section 861.5 of [NARA's sample Directive](#) posted on our Email Management webpage);
- Implementing procedures for initiating record freezes and litigation holds; and
- Implementing procedures for conducting document searches for purposes of FOIA, Congressional, and other access requests.

## **QUESTIONS ABOUT LEGACY RECORDS**

### **31. How are legacy records defined for GRS 6.1?**

In the context of this GRS, legacy records are records that still exist in an electronic format, whether part of a temporary or a permanent account, at the time of Capstone implementation. These records may be stored in an email archiving application, a document management system, in individual files (such as \*.PST files) on local computers or drives, within current live email applications/systems, and/or stored in other ways.

### **32. Does the Capstone GRS apply to both retroactive (legacy/existing) and day-forward**

## **records?**

Yes. NARA expects an agency using this GRS to apply the items the agency uses to all legacy (existing) records. Agencies should summarize the extent of their legacy records within the “Legacy Scope” field on their form NA-1005. For example, an agency might state that no legacy records exist for the agency, as the agency used traditional records management with a print-and-file policy prior to adopting Capstone, or that the agency has legacy email and other types of electronic messages back to a certain date. NARA acknowledges that legacy records may be incomplete, or that position titles may have changed over time. In cases of title changes, the agency should apply GRS items to equivalent positions.

### **33. Does legacy email include backup or recovery tapes with email stored on them?**

No. These tapes were not created for records management purposes, and are outside the scope of GRS 6.1. Backup/recovery tapes are covered under GRS 3.2, item 050, “Backup files identical to permanent records scheduled for transfer to the National Archives,” or GRS 3.2, item 051, “Backup files identical to temporary records authorized for destruction by a NARA-approved records schedule.”

### **34. Can other disposition authorities be used to dispose of email and other types of electronic messages prior to using the authorities within GRS 6.1?**

Yes, with exceptions depending on the status of the records as described below, and for readable email and messages only. For legacy records most agencies will find applying items from this GRS to entire bodies of email and other types of electronic messages is less burdensome than applying other valid authorities on a record-by-record basis. Agencies should address the application of other disposition authorities in agency records management policy. See [FAQ 30](#).

#### **A. For all items on GRS 6.1, day-forward (start of Capstone implementation):**

Yes. Agencies may apply other approved disposition authorities to temporary and permanent records prior to applying the disposition authorities within GRS 6.1 for day-forward email and other types of electronic messages (start of Capstone implementation, generally the date approved on the agency’s first form NA-1005). This could either be part of culling strategies used within an agency, and/or implementation of a Capstone approach that still utilizes some level of traditional records management. For example, an agency may apply:

- GRS 5.1, item 020, which authorizes deletion of electronic records once filed in an official recordkeeping system (such as with a related case file, or within another



records management application) prior to use of the appropriate item from GRS 6.1 (please note that this item cannot be used for **permanent legacy email and messages** per question 34.C. below);

- GRS 5.2, item 010, which authorizes the deletion of transitory records; and/or
- Other NARA approved, media neutral, agency specific disposition authorities. See other FAQ questions under '[Culling](#)' section.

**B. For temporary legacy records, items 011 and 012:**

Yes. Agencies may apply other approved disposition authorities to legacy email and other types of electronic messages (similar to section A above) prior to applying the disposition authorities within GRS 6.1.

Agencies can apply GRS 5.1, item 020, which authorizes deletion of electronic records once filed in an official recordkeeping system (such as with a related case file, or within another records management application) prior to use of the appropriate item from GRS 6.1.

Agencies not able to do this, or unable to ascertain if other approved disposition authorities were adequately applied to legacy email, must apply the authority from the appropriate item on GRS 6.1 at the account level for the minimum retention defined by either item 011 or item 012.

**C. For permanent legacy email, item 010:**

Yes, with limitations. Agencies may cull personal records (such as email not affiliated with official government business), clearly transitory records (GRS 5.2, item 010), and non-record material. Agencies may also cull temporary records using any NARA approved media neutral disposition authority, excluding GRS 5.1, item 020. GRS 5.1, item 020 authorizes deletion of electronic records once filed in an official recordkeeping system (such as with a related case file, or within another records management application). However, if agencies cull records using an agency-specific authority, they must keep the records according to the retention of that authority. NARA acknowledges that this may result in duplicate permanent records being transferred.

**35. What do we mean by 'readable email'?**

Readable email is email that is retrievable and usable for as long as needed to conduct agency business, as well as to ensure the transfer of permanent records to the legal custody of NARA. This aligns with the requirements of 36 CFR 1236.12(b), related to records management and preservation considerations that must be incorporated into the design, development, and

implementation of electronic information systems, as well as the Criteria for Managing Email Records in Compliance with the Managing Government Records Directive (M-12-18). Email that is not retrievable and usable is, therefore, not readable.

### **36. What do I do if I have legacy records that are not readable?**

Currently NARA is requiring agencies to submit a schedule for legacy email and other types of electronic messages that are not readable. Please contact the GRS Team at [GRS\\_Team@nara.gov](mailto:GRS_Team@nara.gov) to discuss your situation further.

### **37. What if the status of legacy email and other types of electronic messages is unknown?**

Agencies may still submit, and receive approval of, the form NA-1005. NARA understands that agencies may not be able to fully articulate their legacy records scope, and how legacy email and other types of electronic messages will be addressed, at the time of form submission. This may be due to the complex nature of older technology, access issues, or an agency needing time to inventory legacy records.

In these cases, agencies should notate as much information as possible on the form NA-1005. Examples of responses may be “Agency is still determining the full scope of our legacy records. We believe it dates back to approximately 2003. We will report our full findings to NARA within 6 months.” or “We have determined the scope of our email, which extends back to 2000, but we are still determining our access issues and will report our full findings to NARA in 6 months”.

## **QUESTIONS ABOUT CULLING**

### **38. What is culling?**

Culling, in the context of Capstone implementation, is the act of removing or deleting material prior to disposition. This may include deleting non-record email and other electronic messages (e.g., email blasts (such as agency-wide communications), spam, and personal email and other types of electronic messages (records belonging to an individual and not related to agency business)), and transitory records (records of short-term interest or that have minimal documentary or evidentiary value). Please refer to GRS 5.2, item 010, and [FAQs about Transitory Records in Electronic Messages](#) for additional information on what constitutes a transitory record.

### **39. Are agencies expected to cull Capstone (permanent) accounts?**

Yes, in order to minimize the amount of non-record and personal records agencies transfer into the National Archives. Since agencies are most familiar with the content of their records, we

expect agencies to cull permanent accounts to the greatest extent possible. Culling may be manual, automated, or a hybrid of both. We do not expect agencies to cull temporary accounts, but you may do so in accordance with your agency's policy as appropriate.

For temporary records, agencies may choose the amount of culling it will allow, based on agency business needs and concerns (such as size of the email repository, cost of maintenance, and risk associated with the possible destruction of records that may be needed for agency business, including litigation).

#### **40. What if an agency can't cull records?**

An agency should review its policies and technology to determine and verify its culling capabilities. Some technologies may not allow culling as described in FAQ 39. Agencies may still implement Capstone for permanent accounts without culling, but this will result in the agency transferring to NARA records that do not meet the definition of a federal record, which NARA might then permanently preserve. NARA screens and, when warranted, withholds access to accessioned records in accordance with the general restrictions set out in 36 CFR 1256.40-1256.62. NARA decides on the access permitted to accessioned records containing personal privacy information as outlined in 36 CFR 1256.56 without consulting the originating agency. As part of our mission to provide public access to Federal Government records, we disclose records whenever legally permissible. As a result, we could release personal information in non-records that an agency or user did not cull prior to transfer.

#### **41. Will NARA cull Capstone records after they are legally transferred?**

Since agencies are most familiar with the content of their email records, we expect them to cull non-record material to the extent possible before transferring. In accordance with 44 U.S.C. § 2108, the Archivist of the United States assumes custody of these records when they are transferred. NARA administers accessioned records in accordance with 44 U.S.C. Chapter 21, 36 CFR Part 1256, and other rules we promulgate to dispose of non-record materials we find in any transfer. However, we cannot guarantee that we will find or cull non-records.

### **QUESTIONS ABOUT TRANSFER**

#### **42. How should agencies transfer email and other types of electronic messages to NARA?**

Agencies should transfer email and electronic messages, like any other electronic records, in accordance with current NARA transfer guidelines. Up-to-date guidelines may be found on NARA's accessioning website at <http://www.archives.gov/records-mgmt/accessioning/electronic.html>.

**43. Will NARA accept encrypted email and other types of electronic records?**

No. As outlined in [NARA Bulletin 2014-04](#), Revised Format Guidance for the Transfer of Permanent Electronic Records, an agency must not transfer to NARA any encrypted permanent electronic records. The Bulletin requires the transferring agency to “[d]eactivate passwords or other forms of file level encryption including digital rights management (DRM) technologies commonly used with audio, video, and some publications that impede access to record data.” Likewise, agencies must decrypt any encrypted email attachments prior to transfer.

**44. What documentation must an agency submit when it transfers Capstone (permanent) records?**

See [NARA Bulletin 2014-04](#), Revised Format Guidance for the Transfer of Permanent Electronic Records, for our requirements for transferring permanent electronic records. In addition, 36 CFR 1235.48 sets out the documentation agencies must provide to transfer permanent electronic records. This documentation should be an extension of the agency’s approved form NA-1005, which documents approved permanent Capstone roles and positions.

Agencies must transfer to NARA the email and other types of electronic messages of Capstone officials captured during their tenure as Capstone officials. Therefore, agencies should treat email and other types of electronic messages of a Capstone official created prior to when the agency designated that person as a Capstone official as temporary and should not transfer that previous email to NARA. For example, the agency would not include electronic messages of Capstone officials sent or received prior to their promotion into a Capstone position. The following is an example of documentation, in the form of a list, of an agency’s Capstone officials and the time period for capture of their email as permanent:

<i>Position title</i>	<i>Name of Position Holder</i>	<i>Email Account/Address</i>	<i>Begin Date of Capture</i>	<i>End Date of Capture</i>
Secretary of [Department]	John Smith	john.smith@agency.gov	January 22, 2013	January 15, 2015
Secretary of [Department]	John Smith (alias account)	Secretary@agency.gov	January 22, 2013	January 15, 2015
Chief Operating Officer	Mary White	mary.white@agency.gov	January 22, 2013	June 1, 2013
Chief Operating Officer	James Anderson	james.anderson@agency.gov	June 2, 2013	December 31, 2020

And below is an example of documentation, in the form of a list, of an agency’s Capstone officials and the time period for capture of their other types of electronic messages as permanent:

<i>Position title</i>	<i>Name of Position Holder</i>	<i>Platform and identifier</i>	<i>Begin Date of Capture</i>	<i>End Date of Capture</i>
Secretary of [Department]	John Smith	Phone instant messages, (555) 555-5555.	January 22, 2013	January 21, 2015
Secretary of [Department]	John Smith	WhatsApp messages	January 22, 2013	January 21, 2015
Chief Operating Officer	Mary White	Phone text messages, (444) 444-4444.	January 22, 2013	June 1, 2013
Chief Operating Officer	Mary White	MS 365, Chat Messenger	January 22, 2013	June 1, 2013
Chief Operating Officer	James Anderson	MS 365, Chat Messenger	June 2, 2013	December 31, 2020

Documentation for legacy records should reflect the position title as it existed at the time the records were created. In instances where the position title may not clearly correlate to those on the form NA- 1005 (due to title changes, or positions being eliminated), you should include information on the current position title, or the category from item 010 to which it correlates, in the documentation.

For example, the current “Director of Congressional Affairs” (listed on form NA-1005 under category 6) may have previously been the “Legislative Affairs Officer.” In this case, the documentation should link to the approved NA-1005 form either by providing the current title or listing the proper category under item 010 to which the position fits.

**45. How will NARA screen permanent records containing controlled unclassified information for public access?**

Generally, federal agency emails and other types of electronic messages will not be transferred to us until they are between 15 and 30 years old. See [FAQ 14](#) for information on how to calculate transfer dates. When an agency initiates a transfer of permanent email or other types

of electronic messages, the Agency Records Officer must indicate any FOIA exemptions that might apply on the request to transfer records into the National Archives.

NARA archivists conduct a careful review to determine what information can be released and what can be withheld under an applicable FOIA exemption when they process closed records for public access. Note, however, NARA generally does not apply FOIA exemption (b)(5) to archival records, which, in any event, now expires after 25 years for information subject to the deliberative process privilege. We also do not consult with the originating agency when releasing unclassified records.

## **QUESTIONS ABOUT FORM RESUBMISSION**

### **46. Is resubmission and re-approval of the form NA-1005 required?**

Yes. Please refer to [NARA Bulletin 2022-02](#), *Resubmission of Capstone Forms* for information on resubmission requirements.

### **47. What other requirements are related to form NA-1005 changes?**

Agencies are reminded to follow the requirements for transfer documentation, pursuant to [FAQ 45](#) above. Agencies may also be required to respond to Capstone and GRS 6.1 related questions on the Records Management Self-Assessment (RMSA), and via other reporting requirements, as appropriate. As outlined above, NARA may request that an agency resubmit based on responses to the annual RMSA, or other reporting mechanisms.