

National Archives and Records Administration

Transmittal Memo

DATE: December 30, 2019

TO: Executives, Staff Directors, NHPRC and OIG

SUBJECT: Interim Guidance 861-1, Managing Electronic Messages

Purpose: This interim guidance and its supplement establish NARA policies and procedures governing the management of electronic messages.

Background/significant changes: When the Federal Records Act was amended in November 2014 a new and expanded definition for electronic messages was added to 44 U.S.C. 2911. The amendment also includes recordkeeping requirements when using personal or non-government communications tools to conduct government business.

This interim guidance provides policy that addresses the expanded definition and additional recordkeeping requirements.

Cancelled policy: NARA 861, Email Records Management, issued February 5, 2015.

Cancelled forms: None.

Effective date: This interim guidance is effective upon date of signature.

Contact information: Direct questions about this interim guidance to Corporate Records Management (CM) at recordsmatter@nara.gov.

DEBRA STEIDEL WALL
Deputy Archivist of the United States

Attachments

SUBJECT: Interim Guidance 861-1, Managing Electronic Messages

861.1 Policy.

- a. Electronic messages that are sent or received in the course of conducting NARA business are Federal records and must be managed in accordance with all federal records management regulations.
- b. In the interest of economy and efficiency of government operation, copies of messages that remain in messaging systems following capture and preservation in the electronic recordkeeping system should be retained only as long as the retention period for the related preserved record copy.
- c. All NARA business conducted via electronic messaging (e-messaging) must be done using NARA's e-messaging systems in accordance with [NARA 802, Use and Monitoring of NARA Office and Information \(IT\) Equipment and Resources](#). In the event that employees cannot access these systems, they may use non-NARA systems. However, they must copy or forward these messages to their official NARA accounts within 20 days of the initial transmission.
- d. When business need requires electronic messaging records to be retained within a different records series (such as part of a case file or dossier), a copy of those messages should be filed in that series.

861.2 Scope and Applicability.

- a. This policy applies to electronic messages in official NARA electronic messaging applications, including: email and attachments; tasks; chat/instant messages; text/Short Message Service (SMS) messages; and voicemail messages.
- b. This policy applies to messages migrated from previous systems that were designated and declared as records.
- c. This policy does not apply to records created and maintained within social media applications, including the ICN, or to information systems that have built-in e-messaging capabilities, such as Google Docs. These records will be addressed in separate guidance.
- d. This policy applies to all NARA users who have official NARA electronic messaging accounts.

861.3 Responsibilities.

In addition to the authorities delegated in NARA 101, NARA Organization and Delegation of Authority, the following responsibilities are assigned in order to effectively implement this policy.

- a. Corporate Records Management (CM) Director.
 1. Works with Information Services to develop the capability to capture, preserve, and manage messages in accordance with federal law, including the application of appropriate disposition instructions.
 2. Manages NARA's electronic messaging recordkeeping systems.
 - (a) Designates electronic messaging accounts as Capstone or non-Capstone.
 - (b) Implements disposition at the appropriate time; accessioning electronic messages of Capstone officials into the holdings of the National Archives; and deleting temporary electronic messages.
 - (c) Ensures that Capstone position designations are kept current and applied to individual accounts.
 - (d) Notifies the Office of the Chief Records Officer of any Capstone role designation changes in accordance with GRS 6.1.
 - (e) Provides mandatory training to NARA staff on records management, including Capstone records management implementation.
 - (f) Conducts system-wide searches for messages on behalf of NARA staff who need to respond to access requests in support of business operations.
 - (g) Conducts routine audits and analyses of electronic messaging systems using macro-level data to verify the proper use and functioning of the messaging archiving application.
- b. Information Management Officers (IMOs) monitor personnel changes within their offices and inform CM of changes relevant to Capstone status designations.

- c. Chief Information Officer works with Corporate Records Management to develop the capability to capture, preserve, and manage messages in accordance with federal law, including the application of appropriate disposition instructions.
- d. NARA users with official NARA electronic messaging accounts.
 - (1) Must take annual mandatory training on managing electronic messages.
 - (2) Recognize the difference between records and non-record materials and take appropriate action.
 - (3) Must not delete electronic messaging records for at least 90 days to ensure capture and preservation, with the exception of transitory records which may be deleted earlier.

861.4 Procedures.

- a. Procedures for managing email are located in the attached supplement.
- b. Additional procedures will be added as appropriate.

861.5 Authorities.

- a. 44 U.S.C. 2911 defines electronic messages as “electronic mail and other electronic messaging systems that are used for the purposes of communicating between individuals.”
- b. 44 U.S.C. Chapter 31, Records Management by Federal Agencies.
- c. 44 U.S.C. Chapter 33, Disposal of Records.
- d. 36 CFR Chapter XII, Subchapter B –Records Management specifies policies for Federal agencies' records management programs relating to proper records creation and maintenance, adequate documentation, and records disposition.
- e. 36 CFR 1236, Electronic Records Management requires Federal agencies to manage electronic records in addition to physical records.
- f. OMB M-19-21, Transition to Electronic Records memorandum directs agencies to adopt electronic recordkeeping in a manner that complies with the Federal Records Act (44 U.S.C. Chapter 29-33).
- g. NARA 802, Use and Monitoring of NARA Office and Information (IT) Equipment and Resources provides guidance on conducting NARA business via electronic messaging (e-messaging) using NARA’s e-messaging systems.

- h. NARA Bulletin 2015-02, Guidance on Managing Electronic Messages provides records management guidance to help agencies develop strategies for managing their electronic messages, specifically text messaging, chat/instant messaging, messaging functionality in social media tools or applications, voice messaging, and similar forms of electronic messaging systems.

861.6 Public release.

Unlimited. This interim guidance is approved for public release.

861.7 Maintaining Records Generated by this Policy.

This paragraph applies to records created in the course of implementing this interim guidance. It does not apply to the actual electronic messages which are the subject of this policy. However, if records created in the course of implementing this policy are considered electronic messages, maintain them in accordance with GRS 6.1.

- a. Records created by CM: maintain in accordance with GRS 4.1, Items 10 and 20 as appropriate.
- b. Records created by all organizations while implementing the provisions of this policy: maintain under File No. 207.

**Subject: NARA 861, Managing Electronic Messages, Supplement A, Policy Implementation
- Email**

A. How NARA manages its email.

NARA manages its email and attachments by applying the “Capstone” approach as outlined in GRS 6.1. Chat, voice mail, text, and instant messages are excluded from the scope of this supplement.

B. Responsibilities.

Corporate Records Management: Designates NARA roles as Capstone or non-Capstone and configures their email accounts accordingly; ensures the Capstone designations are kept current regardless of personnel or organization changes; notifies the Office of the Chief Records Officer of any Capstone role designation changes according to GRS 6.1; conducts system-wide searches for messages on behalf of NARA staff who need to respond to access requests in support of business operations.

C. Implementation of the NARA “Capstone” Approach.

Under the Capstone approach, NARA manages email records based on the role of the account holder rather than on the content of each email record. Email records are captured and managed according to user role based on the following retention approach:

1. Email of Designated Capstone Officials. Email records from designated Capstone officials’ accounts will be retained as permanent. These records will be transferred to the National Archives of the United States in accordance with [GRS 6.1 Item 010](#) and the approved [NA Form 1005](#). CM maintains the list of [NARA’s Designated Capstone Roles and Accounts](#). Capstone Officials include those functioning in an acting capacity. For the purposes of this policy, “acting” is defined as replacing a Capstone official for a period greater than 60 days.
2. Email of all other NARA staff not designated as Capstone Officials. Email records of all other NARA email account holders will be retained in accordance with the [GRS 6.1 Item 011](#) and destroyed within the electronic recordkeeping system. NARA will retain such email for 7 years. Should an organization have a demonstrated business need to retain its email for a longer period, it must first contact CM to request the longer specific retention period (it cannot be an indefinite period). As part of the request, the organization must demonstrate a clear business need for the longer retention period.
3. Legacy email. Legacy email is email that was created and maintained in NARA’s previous email system (GroupWise) and then migrated into the current recordkeeping system (ZLUA). However, it was not declared as records following the migration. These messages were created under NARA’s then policy of “print-and-file.” In keeping with

NARA's guidance accompanying the Capstone GRS, these legacy email messages are considered records and are to be managed in accordance with GRS 6.1.

D. Capstone Exceptions.

1. A Capstone official may manually designate specific email records that are non-permanent as "temporary" when they are not of enduring historical value. These temporary records are administrative in nature.
2. Non-Capstone NARA staff may manually designate specific messaging records as "permanent" when they consider the messages to have enduring historical value. The staff member should contact CM to confirm that the records meet these criteria.
3. Non-Record Email: While it is not mandatory, all NARA staff are strongly encouraged to designate/label non-record email messages as "non-record" so that the recordkeeping system will not capture and manage them. Non-records include: non-business related, personal, "broadcast" messages (e.g., NARA messages to all staff), subscriptions, and advertisements. NARA staff are also encouraged to delete non-record messages if they have no further need to retain them in their in-boxes.
4. Transitory Email Records: Transitory records are records of short-term interest which have minimal or no documentary or evidential value in accordance with GRS 5.2, item 010. In order to avoid capturing transitory email records in the email records management system, users may take one of three actions. 1) Users may delete transitory messages in the email system within 90 days of receipt or sending. 2) If they have not done so within 90 days, they may delete transitory messages in the records management system within the next 90 day period. 3) If users wish to retain transitory email in the email system but prevent their capture in the recordkeeping system, they should label them as "non-record."
5. Email records retained with related records outside the recordkeeping system: When business needs require email records to be retained within another recordkeeping system (such as part of a case file or dossier), a copy of the email should be kept with those files. Capstone does not replace existing business practices that require email messages and other related records to be retained together in established recordkeeping systems as part of other file series.

E. Additional Resources

Additional resources providing technical instructions on labeling, managing non-record material, and capturing chats may be found on NARA's [email management web page](#).