

National Oceanic and Atmospheric Administration	NOAA Administrative Order 205-2	
NOAA ADMINISTRATIVE ORDER SERIES	DATE OF ISSUANCE 04/22/2022	EFFECTIVE DATE 04/22/2022
SUBJECT Management of Electronic Mail (Email) Messages		

**SECTION 1. PURPOSE.**

The purpose of this NOAA Administrative Order (NAO) is twofold:

- .01 To issue instructions to staff on the retention and management requirements for electronic mail records ([36 CFR 1236.22\(a\)](#)); and
- .02 To implement the Capstone Approach for managing electronic mail messages that are declared Federal Records to comply with the joint Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA) Managing Government Records Directive M-12-18.

**SECTION 2. SCOPE.**

- .01 This NAO applies to all NOAA email user accounts, including consultants, contractors, and affiliates who receive and send email messages on behalf of the agency.
- .02 All other records, either paper or electronic, are governed by the appropriate [NOAA Records Schedules](#) or the [General Records Schedules \(GRS\)](#).

**SECTION 3. DEFINITIONS.**

- .01 Accession – The act and procedures involved in a transfer of legal title and the moving of records into the physical custody of the National Archives and Records Administration (NARA).
- .02 Capstone Approach – An approach to managing email records where email retention requirements are based on the role of the account holder.

- .03 Capstone Official – A NOAA account holder that has been identified as occupying a position with a primary decision-making role for NOAA, and documented on NARA form (NA-1005), Verification for Implementing General Records Schedule (GRS) 6.1.
- .04 Control and Custody of Records – Federal records, including NOAA email records, are the property of the Federal Government, not the property of individual employees or contractors and may not be removed or destroyed without proper authority.
- .05 Email Messages – Electronic mail created, sent, received, stored, or otherwise processed by an Email System for the purposes of communicating between individuals.
- .06 Email Records – Any messages created, sent or received within an email system that meet the definition of Federal records under 44 U.S.C 3301.
- .07 Email System – A computer application used to create, receive, and transmit messages and other documents. Excluded from this definition are file transfer utilities (software that transmit files between users but does not retain any transmission data), data systems used to collect and process data that have been organized into data files or databases on either personal computers or mainframe computers, and word processing documents not transmitted on an email system (36 CFR 1236.2).
- .08 Electronic Records – Any information that is recorded in a form that only a computer can process and that satisfies the definition of a Federal record in [44 U.S.C. 3301](#). Electronic records include numeric, graphic and text information, which may be recorded on any medium capable of being read by a computer and which satisfies the definition of a record. This includes, but is not limited to, magnetic media, such as tapes and disks, and optical disks. Unless otherwise noted, these requirements apply to all electronic records systems, whether on microcomputers, minicomputers, or mainframe computers, regardless of storage media, in network or stand-alone configurations.
- .09 Electronic Records Keeping System – An electronic system in which records are collected, organized and categorized to facilitate their preservation, retrieval, use and disposition.
- .10 Federal Records – Materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of the data in them [44 U.S.C. 3301](#).
- .11 Lifecycle – The management concept that records pass through three stages: creation, maintenance and use, and disposition.
- .12 Litigation Hold – A temporary suspension of the records retention and destruction policies of agency records that may be relevant to a legal suit. A litigation hold prevents

destruction, alteration, or mutilation of records identified under the hold as possible evidence.

- .13 Non-Records – U.S. Government-owned documentary materials excluded from the legal definition of records [44 U.S.C. 3301](#).

#### **SECTION 4. POLICY.**

The Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA) Managing Government Records Directive M-12-18 outlines goals for Federal agencies to develop a 21st century framework for managing government records. Part I, Goal 1.2 of the Directive requires Federal agencies to manage both permanent and temporary emails that are Federal Records in an appropriate electronic system that supports records management and litigation requirements. The electronic system must be able to: a) capture, identify, retrieve, and retain the records for as long as they are needed to conduct agency business; b) identify and execute the transfer of permanent records to NARA; and c) identify and destroy temporary records that are eligible for disposal based on NARA-approved records schedules.

To assist agencies in meeting the requirement to manage both permanent and temporary emails that are Federal Records in an accessible electronic format, NARA developed the Capstone Approach – where final disposition is determined by the role or position of the account user – rather than by the subject content of each individual email record. The Capstone Approach will eliminate the burden of individual users having to determine the retention requirements of each email record they create and/or receive. It also specifies that email records of a select group of senior account holders will be declared permanent and eventually transferred to NARA. Additionally, it reduces the risk of unauthorized destruction of temporary email and ensures preservation of permanently valuable or historical email records.

NOAA will implement the Capstone Approach, which is the most efficient and cost effective approach for the agency to comply with the requirements of OMB/NARA Directive M-19-21. NOAA will use Google Vault as a bridge solution to manage email records in electronic format that is acceptable to NARA. Although, the optimal goal is to capture and manage all records in an enterprise-wide electronic records management system (ERMS) by 2023. Google Vault is an archiving tool which allows NOAA to capture email as a record, use for e-discovery and audit activities. Using Google Vault, NOAA will be able to access, manage, and preserve email records in an electronic format that is acceptable by NARA, until the appropriate approved disposition schedule is applied. Under this approach, there are two types of account holders:

- a. **Capstone Official Accounts** – include email accounts associated with selected senior officials within the agency that are responsible for mission-critical functions and policy decisions. Their email records are permanent and will be transferred to NARA for preservation after 15 years.
- b. **Non-Capstone Accounts** – include all email accounts whose owners are not identified as Capstone Officials. The majority of email accounts within the agency are Non-

Capstone accounts. Email records in the Non-Capstone accounts are categorized as temporary records and will be deleted after 7 years in accordance with the Capstone records retention schedule unless they meet the exception criteria in section 6 of this document. Service accounts are also included in this definition if they are associated with a Capstone Official account.

NOAA will comply with Federal records management statutes and regulations to ensure that all electronically managed email records are identified and captured in accordance with the GRS 6.1 records schedule approved by the Archivist of the United States. In addition, NOAA will:

- .01 Institute records management programs that provide documentation of agency activities;
- .02 Manage electronic records in accordance with Government-wide requirements. This includes:
  - a. Integrating records management and preservation into the design, development, enhancement, and implementation of all new and revised electronic systems in accordance with [36 CFR 1236.6 Subpart B](#);
  - b. Managing all permanent electronic records electronically to the fullest extent possible for eventual transfer and accessioning by NARA in an electronic format; and
  - c. Managing all email records electronically and retaining them in an appropriate electronic system that supports records management and litigation requirements, including the capability to identify, retrieve, and retain records for as long as they are needed.
- .03 Access, retrieve, and manage records throughout their life cycle regardless of form or medium;
- .04 Utilize NOAA email accounts for all business-related activities. However, under emergency circumstances that require the use of personal or other non-NOAA email accounts to transact NOAA business, NOAA staff must “carbon-copy” (cc) their NOAA accounts or forward the email to their NOAA account within 20 days to ensure the email message is captured and managed in an official recordkeeping system;
- .05 Preserve email records beyond their approved retention periods when they have been placed under a preservation requirement for purposes of audits, litigation, Freedom of Information Act appeals, and similar obligations;
- .06 Establish and obtain the approval of the Archivist of the United States for retention schedules for Federal records in a timely fashion;
- .07 Ensure the proper and timely disposition of Federal records in accordance with retention schedules approved by the Archivist of the United States; and

- .08 Provide training and guidance, as appropriate, to all agency employees and contractors regarding their Federal records management responsibilities. The training will include records management training for all new employees (within 60 days of appointment) and an annual refresher course;
- .09 NOAA will implement the Capstone Approach to managing email records developed by NARA.

Under the Capstone Approach, NOAA will manage email records based on the role of the email account user rather than on the content of each email record. Email records are captured and managed according to the user role following retention guidance below:

- a. Email Records of Designated Capstone Officials.

This category applies to email records of Capstone Officials (email messages and attachments, calendar appointments, and tasks) captured in Google Vault for 15 years. After 15 years, the Unified Messaging System (UMS) administrator and the Records Officer will work together to export these email records to NARA for permanent preservation. Additionally, the NOAA Records Officer and UMS administrator will work with the Office of Human Capital Services (OHCS) to obtain and maintain the most current listing of Capstone Official accounts.

- b. Email Records Captured from Email Accounts Not Designated as Capstone Officials.

This category applies to email records (email messages and attachments, calendar appointments, and tasks) of staff and contractors not designated as a Capstone Official. These email records will be retained for 7 years in accordance with GRS 6.1, (DAA-GRS-2014-0001-0002, unless they fall under the exceptions categories listed in section 4.10.

- c. Capturing Email Records while in an “Acting” Capstone Official Capacity.

When an employee is acting in the role of any Capstone Official, the career employee must notify the records management office who will coordinate with UMS to develop a Capstone Account while that official occupies this position. This account will be established if the official is expected to occupy that Capstone Position longer than 60 days.

- .10 Exceptions to the Capstone Approach

- a. Email records in which the retention is triggered by a condition or event:

This exception applies to email that is related or needed to support a case or project file, whereas the disposition is contingent upon an event such as the completion of a case or project. Therefore, a pre-determined disposition

date would not be suitable to meet the recordkeeping requirements of the information in the email. These emails records must be retained for the appropriate retention period, either through non-deletion from the UMS or some other means that extracts the emails from the UMS and stores them pursuant to the disposition of the specific NOAA Record Schedule(s) that is applicable to the case or project file.

- b. Emails that are required to be retained because they relate to other records where the retention exceeds the Capstone retention period:

For example, the exemption would apply to email(s) related to permit(s) records that must be retained for 25 years. These emails must be retained as described above in paragraph 10.a.

- c. Email Records Subject to Litigation Hold

The UMS Administrator under the direction of the NOAA General Counsel will flag and preserve all email accounts containing records subject to litigation holds. All disposition activity for the specified account holders will be suspended until authorized by NOAA Office of General Counsel.

- d. Email Records Subject to a Freedom of Information Act (FOIA) Request.

The UMS Administrator under the direction of the NOAA FOIA Office will flag and preserve all email accounts identified by the FOIA Officer as needed to respond to the information request. All disposition activity for the specified account holders will be suspended until authorized by the NOAA FOIA Officer.

- e. Email Records Subject to Congressional Inquiry

The UMS Administrator, under the direction of the Office of Legislative and Intergovernmental Affairs (OLIA), will flag and preserve all email accounts that OLIA requested to comply with congressional inquiries. All disposition activity for the specified account holders will be suspended until authorized by OLIA.

- f. Non-Capstone Officials who create or maintain email records that must be preserved permanently.

This occurs in cases where an employee, who is not a designated Capstone Official, possesses or creates permanent email records. If all email records received or created in the account are deemed permanent based on the NOAA Records Schedule, the owner must contact the NOAA Record Management Office at [records.management@noaa.gov](mailto:records.management@noaa.gov) to create a Permanent Non-Capstone Account. The Records Management Office will review the request and, if approved, will work with the UMS to flag the account(s) as Permanent

Non-Capstone Accounts, to ensure that these messages are transferred to NARA when required.

In other cases where only specific email records created or received in the account are deemed permanent, these emails must be retained as described above in paragraph 10.a.

## **SECTION 5. ROLES AND RESPONSIBILITIES.**

### **.01 NOAA Records Officer**

- a. Develops and obtains approval from the NOAA Deputy Under Secretary of Operations (DUSO), Department of Commerce (DOC), Office of the Chief Information Officer (OCIO), Office of Policy and Governance, and NARA on designated Capstone Official email accounts.
- b. Establishes partnership with the Office of Human Capital Services, Executive Resources Division to maintain a listing of new Capstone Officials.
- c. Annually, provides online training to all email account users on their records management responsibilities, including email messages.
- d. Issues instructions and training to staff on the retention and management requirements for email records.
- e. Assists with the implementation of NOAA-specific records management product and service acquisitions, (e.g., electronic information system, electronic mail system, electronic recordkeeping system).
- f. Provides DOC, OCIO, Office of Policy and Governance with updated lists of Capstone Officials and email addresses as changes occur.
- g. Works with OCIO to ensure NOAA's email archiving solution is compliant with the requirements of M-19-21.
- h. Conducts assessment on the effectiveness of the implementation of records management email requirements within NOAA.
- i. Approves transfers of all permanent email records to NARA.
- j. Collaborates with OCIO to ensure email records meet NARA's current transfer formats.
- k. Monitors agency compliance with email recordkeeping requirements.

- l. Maintains a historical and active list of all designated Capstone Officials positions and email accounts.
- m. Collaborates with RLOs, information technology staff, and NARA Electronic Records staff to transfer permanent email records to NARA.

.02 OCIO Service Delivery Division

- a. Supports both records management and litigation requirements by providing the necessary system capabilities to identify, retrieve, and retain email records for as long as they are needed (in accordance with agency approved records disposition schedule) to conduct agency business ([36 CFR § 1236.20](#)).
- b. Protects email records against technological obsolescence in accordance with [36 CFR 1236.14](#).
- c. Ensures records management and preservation considerations are incorporated into the design, development, and implementation of electronic information systems, including electronic mail systems, in accordance with 36 CFR 1236, Subpart B.
- d. Ensures records management requirements into cloud architectures and other Federal IT systems and commercially available products.
- e. Uses the updated list of Capstone Officials and their associated email addresses, received from the NOAA Records Management Office, for transferring records to NARA and applying the proper disposition for user accounts listed on the list.
- f. Captures and maintains email records of Capstone Officials for 15 years within OCIO, then transfers the records electronically to NARA for permanent retention.
- g. Captures and maintains Non-Capstone Officials' email messages for 7 years before disposing of them, unless there is an ongoing preservation requirement for the email messages.
- h. Consults with the NOAA Office of the General Counsel prior to deleting emails to ensure that none of the emails scheduled for deletion is subject to a preservation requirement.
- i. Retains email messages in a usable format until their authorized disposition date. Where migration includes conversion of records, ensures that the authorized disposition of the records can be implemented after conversion.
- j. Maintains a link between records and their metadata through conversion or migration, including capture of all relevant associated metadata at the point of migration.



- k. Protects and minimizes risk of unauthorized alteration or removal of electronic records.
- i. Optimizes access to information requested under e-discovery and FOIA, ensuring that email records can be searched and retrieved quickly, and that requests for placing or removing a litigation hold can be executed promptly.

.03 NOAA Office of General Counsel

- a. Provides guidance to OCIO Service Delivery Division and the NOAA Records Management Office regarding which email accounts are subject to a litigation hold.
- b. Provides to OCIO Service Delivery Division, a list of individuals with NOAA email accounts that contain emails subject to litigation hold. Normal Capstone Approach deletion procedures will be suspended for the accounts associated with these individuals.
- c. Notifies the OCIO Service Delivery Division and NOAA Records Management Office when a legal hold has been lifted on an email account.

.04 NOAA FOIA Office

- a. Provides guidance to OCIO Service Delivery Division regarding which email accounts are subject to a FOIA request and must be preserved to satisfy the request for information.
- b. Provides to OCIO Service Delivery Division a list of individuals with NOAA email accounts that contain emails subject to the FOIA request. Normal Capstone Approach deletion procedures will be suspended for the accounts associated with these individuals.
- c. Notifies the OCIO Service Delivery Division and NOAA Records Management Office when the FOIA hold has been lifted.

.05. NOAA Office of Legislative and Intergovernmental Affairs

- a. Provides guidance to OCIO Service Delivery Division regarding which email accounts are subject to congressional inquiry.
- b. Provides to OCIO Service Delivery Division a list of individuals with NOAA email accounts that contain emails subject to the congressional inquiry. Normal Capstone Approach deletion procedures will be suspended for the accounts associated with these individuals.
- c. Notifies the OCIO Service Delivery Division and NOAA Records Management Office when a congressional hold has been lifted on an email account.

.06 NOAA Program Managers

- a. Promote records management and ensure Federal employees and contractors complete records management training and follow Capstone Approach procedures.
- b. Promote and work with the RLOs assigned to their program area on records management issues, including email records.
- c. Create and preserve email records that document the organization, functions, programs, policies, decisions, procedures, and essential transactions of the agency.
- d. Where applicable, link email to agency approved functional retention schedule or General Records Schedule (GRS).
- e. Manage records according to NARA-approved records schedules that determine where and how long records need to be maintained and transfer permanent records to NARA.
- f. Safeguard email records created, processed, or in the possession of a contractor or a non-Federal entity by specifying in Federal contracts ownership and delivery of records necessary for the adequate and proper documentation of contractor-operated agency activities and programs in accordance with requirements of [36 CFR § 1222.32](#) and the Federal Acquisition Regulation.
- g. Restrict access to all records, regardless of media, to only authorized employees.

.07 NOAA Records Liaison Officers (RLOs)

- a. Maintain an updated list of Capstone Officials and their associated email addresses for their respective Staff Offices or Line Offices (SO/LO) and, upon request, submit a copy of the updated list to the NOAA Records Officer and the CIO.
- b. Promote and provide records management guidance to Capstone Officials and Non-Capstone Officials within their designated SO/LO.
- c. Work with their respective CIO on Capstone Approach implementation and matters.
- d. Act as the liaison between their organizations and the NOAA Records Office on Capstone Approach matters regarding email records.

.08 NOAA Supervisors

Ensure their work and their subordinates' work are adequately documented and records can be located and produced to support daily business activities, and to comply with FOIA, discovery requests, and other requests for information.

- a. Ensure all Federal employees and contractors receive records management training, including training on the implementation of the Capstone Approach and distinguishing Federal records from personal records and non-record email messages.
  - b. Ensure employees separate email messages that are Federal records from personal and non-record email messages.
  - c. Ensure employees maintain email records and attachments related to case files or project folders, or are otherwise exempt from Capstone Approach requirements, in accordance with NOAA Records Schedules, if applicable.
  - d. Work with RLOs to promote records management statutes and regulations, including email records.
  - e. Work with departing employees to ensure that all record material, including email records, have been transferred to the appropriate record custodian and that the departing employees complete and sign for any removal of records when separating from the agency or transferring to another office within the agency.
- .09 NOAA email account users, including consultants, contractors, and affiliates who receive and send email messages on behalf of the agency.
- a. Obtain basic records management training.
  - b. Recognize the difference between records they create and receive while conducting agency business from non-record documents.
  - c. Make sure email messages that are records exempt from Capstone Approach requirements (e.g., certain case-related records) are accessible for their entire retention period by saving them and filing them properly.
  - d. Safeguard records until they are authorized for disposition. The unauthorized removal, concealment, falsification, mutilation, and/or disposition of official records are prohibited by law and are subject to penalty ([18 U.S.C. 207](#)).
  - e. Conduct a records review with their supervisor prior to exiting the agency or reassignment.

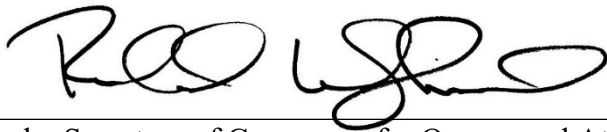
## **SECTION 6. REFERENCES.**

- a. [General Record Schedule \(GRS\) 6](#), Email Managed Under A Capstone Approach
- b. NARA form, ([NA-1005](#)) Verification for Implementing GRS 6.1
- c. [OMB/NARA-M-19-21](#), Transition to Electronic Records

- d. 44 U.S.C. Chapters 21, 29, 31, and 33
- e. 36 CFR Chapter XII, Subpart B – Agency Records Management Responsibilities
- f. 36 CFR Chapter XII, Subpart B and C – Electronic Records Management
- g. OMB M-12-18, Managing Government Records Directive
- h. OMB Circular A-130, Managing Information as a Strategic Resource

**SECTION 7. EFFECT ON OTHER ISSUANCES.**

An electronic copy of this NAO will be posted in accordance with Chapter 100 of the NOAA Records Control Schedule on the NOAA Office of the Chief Administrative Officer website under the NOAA Administrative Issuances Section.



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Under Secretary of Commerce for Oceans and Atmosphere  
and NOAA Administrator

Office of Primary Interest:

- Office of Audit and Information Management