Frequently Asked Questions (FAQs) about General Records Schedule Deviations

Revised July 2015

1. What is a deviation from the GRS?

A deviation from the GRS occurs when an agency uses a retention period for records different from the retention period authorized by the GRS. Deviations are of two types: those that require NARA approval and those that do not.

DEVIATIONS THAT REQUIRE NARA APPROVAL

2. How does an agency request a deviation from a newly issued GRS when it already has a schedule for the records?

The agency needs to submit a GRS notification to NARA within 120 days of issuance of the new GRS. NARA reviews the notification to determine whether a deviation is justified. For further information, see the FAQs about GRS notifications.

3. Under what circumstances must an agency submit a schedule for NARA approval to request a deviation from the GRS?

The agency must submit a schedule for NARA approval when it needs to deviate from the GRS and does not have an existing NARA-approved agency schedule for the records. This process can happen at any time; it is not bound by the 120-day limit mentioned in answer 2.

4. Why would an agency submit a schedule to seek a deviation from a current GRS?

These examples of actual requests illustrate some situations in which an agency might submit a schedule to request a deviation (not exhaustive):

a. Extending retention period for Personnel Awards (old GRS 1/item12a) from 2 years to 10 years because the agency has frequent need to refer back to these records for employee promotions
b. Merging GRS items to create a new retention period of 4 years (thus extending the current retention periods ranging from 3 months to 3 years) for Motor Vehicle Maintenance/Operations, Costs and Reports Files (old GRS 10/items 2, 3, and 4) because the agency's business practice is to maintain these records as a single system of records
c. Extending retention period from 3 months to 4 years for Complaint Correspondence files (old GRS 14/item 5) because this agency reviews these letters for possible patterns that may have investigatory value
d. Reducing retention period for Badging and Access Control Data (old GRS 18/item 17b) from 2 years to 6 months because the agency determined it had no business need to retain the records for the entire GRS retention period

5. What is required when submitting a records schedule requesting deviation from the GRS?

When an agency submits a records schedule requesting a disposition other than that approved in the GRS, that schedule must cite each GRS item from which the agency wants to deviate, identify the agency schedule item proposed to supersede it, and provide a justification for the deviation. This applies whether the records are scheduled in the GRS as temporary or permanent. Some GRS items, such as accountable officer records, require additional concurrence from other oversight agencies such as GAO. Please contact the GRS Team at GRS_Team@nara.gov if you have questions about whether a request requires additional agency review as the current list of oversight agencies is in flux.

ADDITIONAL QUESTIONS

6. Can an agency ever diverge from the GRS without submitting a schedule?

Yes, under the following circumstances:

a. When the GRS disposition is open-ended and the agency wishes to have a more specific retention period, as long as it falls within the parameters established by the GRS. See also question 8, below; or
b. When an agency seeks only to temporarily extend the retention period. Per 36 CFR 1226.18a, agencies may temporarily retain records approved for destruction beyond their NARA-approved retention period if special circumstances (such as a records freeze or hold) alter the normal administrative, legal, or fiscal value of the records. How to request a records freeze is detailed in the Freeze Process Overview/FAQ on NARA's web site.

7. When is a deviation from the GRS not allowed?

Agencies must use the GRS and cannot request deviations when a GRS states that its provisions must be followed without exception. Currently, the only GRS items that must be followed without exception are GRS 2.8, items 060, 061, 062, 063, 070, 071, 072, 080, and 081.

8. A GRS disposition instruction is open-ended, stating that records *must* be kept for a certain period of time but *may* be kept even longer to meet agency business needs. My agency either already has or wants a more specific disposition instruction than allowed by the GRS. Does my agency need to notify NARA that it will use its own schedule or request a deviation via a new schedule?

Examples of an open-ended disposition include "Destroy when no longer needed" or "Destroy when no longer needed for business use, or audit requirements, or to fulfill legal requirements." Open-ended dispositions may also contain a specific time period for destruction of records (e.g., "Destroy when 6 years old") and include wording like "or when no longer needed for business use, whichever is later" or "Longer retention is authorized if

required for business use." Such disposition instructions are designed as open-ended to meet the needs of more agencies, while still establishing basic requirements for destruction of the records.

When the GRS disposition is open-ended, an agency may issue its own more specific disposition instructions, provided that these instructions meet the requirements of the GRS disposition. The agency does not need to request a deviation or otherwise notify NARA. For example, if the GRS disposition is "Destroy when no longer needed," the agency may set a disposition of "Destroy when 3 years old." The agency might choose such a disposition when it decides that it would not need any of the records beyond 3 years.

9. Where do I go for more information?

For questions related to this FAQ or the GRS Transmittal, please contact NARA's GRS Team at GRS_Team@nara.gov. For questions related to scheduling records for a deviation from the GRS, please contact your agency's appraisal archivist. A list of appraisal archivists by agency can be found at http://www.archives.gov/records-mgmt/appraisal/work-group-all.html.