

agencies may dispose of unwanted Government publications after first offering them to the Library of Congress and the Archivist of the United States.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1285.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 87 (Jan. 12, 1895, ch. 23, § 98, 28 Stat. 624; Aug. 9, 1962, Pub. L. 87-579, § 7, 76 Stat. 355).

#### TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### ARCHIVIST OF THE UNITED STATES

References to Archivist of the United States deemed to refer to Archivist appointed under section 2103 of this title with respect to functions transferred by Pub. L. 98-497 or an amendment made by Pub. L. 98-497 and exercised after Apr. 1, 1985, see sections 106 and 108 of Pub. L. 98-497, set out as notes under section 2102 of this title.

### § 1908. American Antiquarian Society to receive certain publications

One copy of the public journals of the Senate and of the House of Representatives, and of the documents published under the orders of the Senate and House of Representatives, respectively, shall be transmitted to the Executive of the Commonwealth of Massachusetts for the use and benefit of the American Antiquarian Society of the Commonwealth.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1285.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 88 (Dec. 1, 1814, No. 7, 3 Stat. 248).

### § 1909. Requirements of depository libraries; reports on conditions; investigations; termination; replacement

Only a library able to provide custody and service for depository materials and located in an area where it can best serve the public need, and within an area not already adequately served by existing depository libraries may be designated by Senators, Representatives, the Resident Commissioner from Puerto Rico, the Commissioner of the District of Columbia,<sup>1</sup> or the Governors of Guam, American Samoa, or the Virgin Islands as a depository of Government publications. The designated depository libraries shall report to the Superintendent of Documents at least every two years concerning their condition.

The Superintendent of Documents shall make firsthand investigation of conditions for which need is indicated and include the results of investigations in his annual report. When he ascertains that the number of books in a depository library is below ten thousand, other than

Government publications, or it has ceased to be maintained so as to be accessible to the public, or that the Government publications which have been furnished the library have not been properly maintained, he shall delete the library from the list of depository libraries if the library fails to correct the unsatisfactory conditions within six months. The Representative or the Resident Commissioner from Puerto Rico in whose area the library is located or the Senator who made the designation, or a successor of the Senator, and, in the case of a library in the District of Columbia, the Commissioner of the District of Columbia, and, in the case of a library in Guam, American Samoa, or the Virgin Islands, the Governor, shall be notified and shall then be authorized to designate another library within the area served by him, which shall meet the conditions herein required, but which may not be in excess of the number of depository libraries authorized by laws within the State, district, territory, or the Commonwealth of Puerto Rico, as the case may be.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1285.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 86 (Jan. 12, 1895, ch. 23, § 70, 28 Stat. 612; Aug. 9, 1962, Pub. L. 87-579, § 6, 76 Stat. 354).

#### TRANSFER OF FUNCTIONS

Office of Commissioner of District of Columbia, as established under Reorg. Plan No. 3 of 1967, eff. Nov. 3, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198.

### § 1910. Designations of replacement depositories; limitations on numbers; conditions

The designation of a library to replace a depository library, other than a depository library specifically designated by law, may be made only within the limitations on total numbers specified by section 1905 of this title, and only when the library to be replaced ceases to exist, or when the library voluntarily relinquishes its depository status, or when the Superintendent of Documents determines that it no longer fulfills the conditions provided by law for depository libraries.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1286.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 84 (June 23, 1913, ch. 3, § 5, 38 Stat. 75; Aug. 9, 1962, Pub. L. 87-579, § 4, 76 Stat. 353).

### § 1911. Free use of Government publications in depositories; disposal of unwanted publications

Depository libraries shall make Government publications available for the free use of the general public, and may dispose of them after retention for five years under section 1912 of this title, if the depository library is served by a regional depository library. Depository libraries not served by a regional depository library, or that are regional depository libraries themselves, shall retain Government publications permanently in either printed form or in micro-

<sup>1</sup> See Transfer of Functions note below.