

(Added Pub. L. 98-497, title I, §102(a)(2), Oct. 19, 1984, 98 Stat. 2281.)

#### PRIOR PROVISIONS

A prior section 2104 was renumbered section 2108 of this title.

#### EFFECTIVE DATE

Section effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as an Effective Date of 1984 Amendment note under section 2102 of this title.

#### EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to Archivist of United States, see Parts 1, 2, and 20 of Ex. Ord. No. 12656, Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

### § 2105. Personnel and services

(a)(1) The Archivist is authorized to select, appoint, employ, and fix the compensation of such officers and employees, pursuant to part III of title 5, as are necessary to perform the functions of the Archivist and the Administration.

(2) Notwithstanding paragraph (1), the Archivist is authorized to appoint, subject to the consultation requirements set forth in paragraph (f)(2) of section 2203 of this title, a director at each Presidential archival depository established under section 2112 of this title. The Archivist may appoint a director without regard to subchapter I and subchapter VIII of chapter 33 of title 5, United States Code, governing appointments in the competitive service and the Senior Executive Service. A director so appointed shall be responsible for the care and preservation of the Presidential records and historical materials deposited in a Presidential archival depository, shall serve at the pleasure of the Archivist and shall perform such other functions as the Archivist may specify.

(b) The Archivist is authorized to obtain the services of experts and consultants under section 3109 of title 5.

(c) Notwithstanding the provisions of section 973 of title 10 or any other provision of law, the Archivist, in carrying out the functions of the Archivist or the Administration, is authorized to utilize in the Administration the services of officials, officers, and other personnel in other Federal agencies, including personnel of the armed services, with the consent of the head of the agency concerned.

(d) Notwithstanding section 1342 of title 31, United States Code, the Archivist is authorized to accept and utilize voluntary and uncompensated services.

(Added Pub. L. 98-497, title I, §102(a)(2), Oct. 19, 1984, 98 Stat. 2281; amended Pub. L. 107-67, title VI, §649, Nov. 12, 2001, 115 Stat. 556.)

#### PRIOR PROVISIONS

A prior section 2105 was renumbered section 2109 of this title.

#### AMENDMENTS

2001—Subsec. (a). Pub. L. 107-67 amended subsec. (a) generally, designating existing provisions as par. (1) and adding par. (2).

#### EFFECTIVE DATE

Section effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as an Effective Date of 1984 Amendment note under section 2102 of this title.

### § 2106. Reports to Congress

The Archivist shall submit to the Congress, in January of each year and at such other times as the Archivist finds appropriate, a report concerning the administration of functions of the Archivist, the Administration, the National Historical Publications and Records Commission, and the National Archives Trust Fund. Such report shall describe—

(1) program administration and expenditures of funds, both appropriated and nonappropriated, by the Administration, the Commission, and the Trust Fund Board;

(2) research projects and publications undertaken by Commission grantees, and by Trust Fund grantees, including detailed information concerning the receipt and use of all appropriated and nonappropriated funds;

(3) by account, the moneys, securities, and other personal property received and held by the National Archives Trust Fund Board, and of its operations, including a listing of the purposes for which funds are transferred to the National Archives and Records Administration for expenditure to other Federal agencies; and

(4) the matters specified in section 2904(c)(8) of this title.

(Added Pub. L. 98-497, title I, §102(a)(2), Oct. 19, 1984, 98 Stat. 2282.)

#### PRIOR PROVISIONS

A prior section 2106 was renumbered section 2110 of this title.

#### EFFECTIVE DATE

Section effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as an Effective Date of 1984 Amendment note under section 2102 of this title.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to the requirement that the Archivist submit a report to Congress in January of each year, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the last item on page 179 of House Document No. 103-7.

### § 2107. Acceptance of records for historical preservation

When it appears to the Archivist to be in the public interest, he may—

(1) accept for deposit with the National Archives of the United States the records of a Federal agency, the Congress, the Architect of the Capitol, or the Supreme Court determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the United States Government;

(2) direct and effect the transfer to the National Archives of the United States of records of a Federal agency that have been in existence for more than thirty years and determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the United States Government, unless the head of the agency which has custody of them certified in writing to the Archivist that they