

2002—Par. (13). Pub. L. 107-217 substituted “section 102 of title 40” for “section 3(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472(a))”.

1984—Pub. L. 98-497, §107(b)(13)(A), struck out reference to chapter 27 in provisions preceding par. (1).

Par. (2). Pub. L. 98-497, §107(b)(13)(B), inserted “in order to achieve adequate and proper documentation of the policies and transactions of the Federal Government and effective and economical management of agency operations”.

Pars. (6), (9), (11). Pub. L. 98-497, §107(b)(13)(C), substituted “Archivist” for “Administrator”.

Par. (12). Pub. L. 98-497, §107(b)(13)(D), substituted “Archivist” and “Archivist of the United States” for “Administrator” and “Administrator of General Services”, respectively. See par. (15) of this section.

Par. (13). Pub. L. 98-497, §107(b)(13)(D), struck out references to “Federal agency” and to subsec. (b) of section 3 of the Federal Property and Administrative Services Act of 1949. See par. (14) of this section.

Pars. (14), (15). Pub. L. 98-497, §107(b)(13)(D), added pars. (14) and (15).

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

RECORDS CENTER REVOLVING FUND

Pub. L. 106-58, title IV, [(a)-(e)], Sept. 29, 1999, 113 Stat. 460, 461, as amended by Pub. L. 108-383, §3, Oct. 30, 2004, 118 Stat. 2218, provided that:

“(a) ESTABLISHMENT OF FUND.—There is hereby established in the Treasury a revolving fund to be available for expenses (including expenses for uniforms or allowances for uniforms as authorized by subchapter I of chapter 59 of title 5 [United States Code]) and equipment necessary to provide for storage and related services for all temporary and pre-archival Federal records, which are to be stored or stored at Federal National and Regional Records Centers by agencies and other instrumentalities of the Federal Government. The Fund shall be available without fiscal year limitation for expenses necessary for operation of these activities.

“(b) START-UP CAPITAL.—

“(1) There is appropriated \$22,000,000 as initial capitalization of the Fund.

“(2) In addition, the initial capital of the Fund shall include the fair and reasonable value at the Fund’s inception of the inventories, equipment, receivables, and other assets, less the liabilities, transferred to the Fund. The Archivist of the United States is authorized to accept inventories, equipment, receivables and other assets from other Federal entities that were used to provide for storage and related services for temporary and pre-archival Federal records.

“(c) USER CHARGES.—The Fund shall be credited with user charges received from other Federal Government accounts as payment for providing personnel, storage, materials, supplies, equipment, and services as authorized by subsection (a). Such payments may be made in advance or by way of reimbursement. The rates charged will return in full the expenses of operation, including reserves for accrued annual leave, worker’s compensation, depreciation of capitalized equipment and shelving, and amortization of information technology software and systems.

“(d) FUNDS RETURNED TO MISCELLANEOUS RECEIPTS OF THE DEPARTMENT OF THE TREASURY.—

“(1) In addition to funds appropriated to and assets transferred to the Fund in subsection (b), an amount not to exceed 4 percent of the total annual income may be retained in the Fund as an operating reserve or for the replacement or acquisition of capital equipment, including shelving, and the improvement and implementation of the financial management, information technology, and other support systems of the National Archives and Records Administration.

“(2) Funds in excess of the 4 percent at the close of each fiscal year shall be returned to the Treasury of the United States as miscellaneous receipts.

“(e) REPORTING REQUIREMENT.—The National Archives and Records Administration shall provide quarterly reports to the Committees on Appropriations and Governmental Affairs of the Senate, and the Committees on Appropriations and Government Reform [now Oversight and Government Reform] of the House of Representatives on the operation of the Records Center Revolving Fund.”

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON AUTHORITIES AND RESPONSIBILITIES OF ADMINISTRATOR OF GENERAL SERVICES, JOINT COMMITTEE, OR GOVERNMENT PUBLISHING OFFICE

Pub. L. 94-575, §5, Oct. 21, 1976, 90 Stat. 2727, as amended by Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537, provided that:

“(a) The provisions of this Act [see Short Title of 1976 Amendment note set out under section 101 of this title] relating to the authority of the Administrator of General Services do not limit or repeal additional authorities provided by statute or otherwise recognized by law.

“(b) The provisions of this Act do not limit or repeal the authority or responsibilities of the Joint Committee on Printing or the Government Publishing Office under chapters 1 through 19 of title 44, United States Code.”

§ 2902. Objectives of records management

It is the purpose of this chapter, and chapters 21, 31, and 33 of this title, to require the establishment of standards and procedures to assure efficient and effective records management. Such records management standards and procedures shall seek to implement the following goals:

(1) Accurate and complete documentation of the policies and transactions of the Federal Government.

(2) Control of the quantity and quality of records produced by the Federal Government.

(3) Establishment and maintenance of mechanisms of control with respect to records creation in order to prevent the creation of unnecessary records and with respect to the effective and economical operations of an agency.

(4) Simplification of the activities, systems, and processes of records creation, maintenance, transfer, and use.

(5) Judicious preservation and disposal of records.

(6) Direction of continuing attention on records from their initial creation to their final disposition, with particular emphasis on the prevention of unnecessary Federal paperwork and the transfer of records from Federal agencies to the National Archives of the United States in digital or electronic form to the greatest extent possible.

(7) Establishment and maintenance of such other systems or techniques as the Archivist considers necessary to carry out the purposes of this chapter, and chapters 21, 31, and 33 of this title.

(Added Pub. L. 94-575, §2(a)(1), Oct. 21, 1976, 90 Stat. 2724; amended Pub. L. 98-497, title I, §107(b)(14), Oct. 19, 1984, 98 Stat. 2288; Pub. L. 113-187, §9(a), Nov. 26, 2014, 128 Stat. 2012.)

PRIOR PROVISIONS

A prior section 2902, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1296, related to activities of the Administrator of

General Services with respect to records management, surveys, and reports, prior to repeal by Pub. L. 94-575, §2(a)(1). See section 2904 of this title.

AMENDMENTS

2014—Par. (4). Pub. L. 113-187, §9(a)(1), substituted “creation, maintenance, transfer, and use” for “creation and of records maintenance and use”.

Par. (6). Pub. L. 113-187, §9(a)(2), inserted before period at end “and the transfer of records from Federal agencies to the National Archives of the United States in digital or electronic form to the greatest extent possible”.

Par. (7). Pub. L. 113-187, §9(a)(3), struck out “the Administrator or” before “the Archivist”.

1984—Par. (7). Pub. L. 98-497 inserted “or the Archivist” after “Administrator”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

§ 2903. Custody and control of property

(a) The Archivist shall have immediate custody and control of the National Archives Building and its contents, and may design, construct, purchase, lease, maintain, operate, protect, and improve buildings used by him for the storage of records of Federal agencies in the District of Columbia and elsewhere.

(b) When the Archivist considers it to be in the public interest, the Archivist may charge and collect reasonable fees from the public for the occasional, non-official use of rooms and spaces, and services related to such use, in the buildings subject to this section. Fees collected under this subsection shall be paid into an account in the National Archives Trust Fund and shall be held, administered, and expended for the benefit and in the interest of the national archival and records activities administered by the National Archives and Records Administration, including educational and public program purposes.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1296; Pub. L. 98-497, title I, §107(b)(15)(A), Oct. 19, 1984, 98 Stat. 2288; Pub. L. 108-383, §4(b), Oct. 30, 2004, 118 Stat. 2218.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §392 (June 30, 1949, ch. 288, title V, §502, as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

AMENDMENTS

2004—Pub. L. 108-383 designated existing provisions as subsec. (a) and added subsec. (b).

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

§ 2904. General responsibilities for records management

(a) The Archivist shall provide guidance and assistance to Federal agencies with respect to ensuring adequate and proper documentation of the policies and transactions of the Federal Government and ensuring proper records disposition.

(b) The Archivist shall provide guidance and assistance to Federal agencies to ensure economical and effective records management by such agencies.

(c) In carrying out the responsibilities under subsections (a) and (b), the Archivist shall have the responsibility—

(1) to promulgate standards, procedures, and guidelines with respect to records management and the conduct of records management studies;

(2) to conduct research with respect to the improvement of records management practices and programs;

(3) to collect and disseminate information on training programs, technological developments, and other activities relating to records management;

(4) to establish such interagency committees and boards as may be necessary to provide an exchange of information among Federal agencies with respect to records management;

(5) to direct the continuing attention of Federal agencies and the Congress on the need for adequate policies governing records management;

(6) to conduct records management studies and, in the Archivist's discretion, designate the heads of executive agencies to conduct records management studies with respect to establishing systems and techniques designed to save time and effort in records management;

(7) to conduct inspections or surveys of the records and the records management programs and practices within and between Federal agencies;

(8) to report to the appropriate oversight and appropriations committees of the Congress and to the Director of the Office of Management and Budget in January of each year and at such other times as the Archivist deems desirable—

(A) on the results of activities conducted pursuant to paragraphs (1) through (7) of this section,

(B) on evaluations of responses by Federal agencies to any recommendations resulting from inspections or studies conducted under paragraphs (6) and (7) of this section, and

(C) to the extent practicable, estimates of costs to the Federal Government resulting from the failure of agencies to implement such recommendations.

(d) The Archivist shall promulgate regulations requiring all Federal agencies to transfer all digital or electronic records to the National Archives of the United States in digital or electronic form to the greatest extent possible.

(Added Pub. L. 94-575, §2(a)(2), Oct. 21, 1976, 90 Stat. 2725; amended Pub. L. 96-511, §2(c)(1), Dec. 11, 1980, 94 Stat. 2825; Pub. L. 98-497, title I, §107(b)(16), Oct. 19, 1984, 98 Stat. 2288; Pub. L. 113-187, §§8(7), 9(c), Nov. 26, 2014, 128 Stat. 2012, 2013.)

PRIOR PROVISIONS

A prior section 2904, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1296, contained provisions similar to those comprising pars. (1) and (2) of this section, prior to repeal by Pub. L. 94-575, §2(a)(2).