

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-187 substituted “The Archivist shall notify” for “He shall notify” and “the Archivist’s attention” for “his attention”.

1984—Subsec. (a). Pub. L. 98-497, §107(b)(15)(B), substituted “Archivist” for “Administrator of General Services”.

Pub. L. 98-497, §203(a), inserted “In any case in which the head of the agency does not initiate an action for such recovery or other redress within a reasonable period of time after being notified of any such unlawful action, the Archivist shall request the Attorney General to initiate such an action, and shall notify the Congress when such a request has been made.”

Subsec. (b). Pub. L. 98-497, §107(b)(15)(B), substituted “Archivist” for “Administrator of General Services”.

1980—Pub. L. 96-511 designated existing provisions as subsec. (a) and added subsec. (b).

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.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-511 effective on Apr. 1, 1981, see section 5 of Pub. L. 96-511, set out as a note under section 2904 of this title.

§ 2906. Inspection of agency records

(a)(1) In carrying out the duties and responsibilities under this chapter, the Archivist (or the¹ Archivist’s designee) may inspect the records or the records management practices and programs of any Federal agency for the purpose of rendering recommendations for the improvement of records management practices and programs and for determining whether the records of Federal agencies have sufficient value to warrant continued preservation or lack sufficient value to justify continued preservation. Officers and employees of such agencies shall cooperate fully in such inspections, subject to the provisions of paragraphs (2) and (3) of this subsection.

(2) Records, the use of which is restricted by law or for reasons of national security or the public interest, shall be inspected, in accordance with regulations promulgated by the Archivist, subject to the approval of the head of the agency concerned or of the President.

(3) If the Archivist (or the Archivist’s designee) inspects a record, as provided in this subsection, which is contained in a system of records which is subject to section 552a of title 5, such record shall be—

(A) maintained by the Archivist or such designee as a record contained in a system of records; or

(B) deemed to be a record contained in a system of records for purposes of subsections (b), (c), and (i) of section 552a of title 5.

(b) In conducting the inspection of agency records provided for in subsection (a) of this section, the Archivist (or the Archivist’s designee) shall, in addition to complying with the provisions of law cited in subsection (a)(3), comply with all other Federal laws and be subject to the sanctions provided therein.

(Added Pub. L. 94-575, §2(a)(3), Oct. 21, 1976, 90 Stat. 2725; amended Pub. L. 98-497, title I,

¹ So in original.

§107(b)(17), Oct. 19, 1984, 98 Stat. 2289; Pub. L. 113-187, §9(d), Nov. 26, 2014, 128 Stat. 2013.)

PRIOR PROVISIONS

A prior section 2906, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1297, contained provisions similar to those comprising subsec. (a)(1) and (2) of this section, prior to repeal by Pub. L. 94-575, §2(a)(3).

AMENDMENTS

2014—Subsec. (a)(1). Pub. L. 113-187, §9(d)(1)(A), substituted “the duties” for “their respective duties” and “the Archivist’s designee” for “designee of either”, struck out “the Administrator of General Services and” before “the Archivist” and “solely” after “any Federal agency”, and inserted “and for determining whether the records of Federal agencies have sufficient value to warrant continued preservation or lack sufficient value to justify continued preservation” after “for the improvement of records management practices and programs”.

Subsec. (a)(2). Pub. L. 113-187, §9(d)(1)(B), struck out “the Administrator and” before “the Archivist” and “The regulations promulgated by the Administrator and the Archivist under this paragraph shall, to the extent practicable, be identical.” at end.

Subsec. (a)(3). Pub. L. 113-187, §9(d)(1)(C), in introductory provisions, struck out “the Administrator or” before “the Archivist” and substituted “Archivist’s designee” for “designee of either” and, in subpar. (A), substituted “the Archivist” for “the Administrator, the Archivist,”.

Subsec. (b). Pub. L. 113-187, §9(d)(2), struck out “the Administrator and” before “the Archivist” and substituted “Archivist’s designee” for “designee of either”.

1984—Pub. L. 98-497 inserted reference to Archivist in four places in subsections (a) and (b) and inserted at end of subsec. (b)(2) “The regulations promulgated by the Administrator and the Archivist under this paragraph shall, to the extent practicable, be identical.”

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.

§ 2907. Records centers and centralized micro-filming or digitization services

The Archivist may establish, maintain, and operate records centers and centralized micro-filming or digitization services for Federal agencies.

(Added Pub. L. 94-575, §2(a)(3), Oct. 21, 1976, 90 Stat. 2726; amended Pub. L. 98-497, title I, §107(b)(15)(A), Oct. 19, 1984, 98 Stat. 2288; Pub. L. 113-187, §9(b)(1), Nov. 26, 2014, 128 Stat. 2013.)

PRIOR PROVISIONS

A prior section 2907, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1297, contained provisions similar to those comprising this section, prior to repeal by Pub. L. 94-575, §2(a)(3).

AMENDMENTS

2014—Pub. L. 113-187 inserted “or digitization” after “microfilming” in section catchline and text.

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.

§ 2908. Regulations

Subject to applicable law, the Archivist shall promulgate regulations governing the transfer