

§ 1914. Implementation of depository library program by Director of the Government Publishing Office

The Director of the Government Publishing Office, with the approval of the Joint Committee on Printing, as provided by section 103 of this title, may use any measures he considers necessary for the economical and practical implementation of this chapter.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1287; Pub. L. 113-235, div. H, title I, §1301(c), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §81c (Pub. L. 87-579, §10, Aug. 9, 1962, 76 Stat. 356).

AMENDMENTS

2014—Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer” in section catchline and text.

§ 1915. Highest State appellate court libraries as depository libraries

Upon the request of the highest appellate court of a State, the Director of the Government Publishing Office is authorized to designate the library of that court as a depository library. The provisions of section 1911 of this title shall not apply to any library so designated.

(Added Pub. L. 92-368, §1(a), Aug. 10, 1972, 86 Stat. 507; amended Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

AMENDMENTS

2014—Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer”.

§ 1916. Designation of libraries of accredited law schools as depository libraries

(a) Upon the request of any accredited law school, the Director of the Government Publishing Office shall designate the library of such law school as a depository library. The Director of the Government Publishing Office may not make such designation unless he determines that the library involved meets the requirements of this chapter, other than those requirements of the first undesignated paragraph of section 1909 of this title which relate to the location of such library.

(b) For purposes of this section, the term “accredited law school” means any law school which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner of Education for such purpose or accredited by the highest appellate court of the State in which the law school is located.

(Added Pub. L. 95-261, §1, Apr. 17, 1978, 92 Stat. 199; amended Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer” in two places.

EFFECTIVE DATE

Pub. L. 95-261, §3, Apr. 17, 1978, 92 Stat. 199, provided that: “The amendments made by this Act [enacting this section] shall take effect on October 1, 1978.”

TRANSFER OF FUNCTIONS

Functions of Commissioner of Education transferred to Secretary of Education pursuant to section 3441(a)(1) of Title 20, Education.

CHAPTER 21—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

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AMENDMENTS

2014—Pub. L. 113-187, §3(c)(2), Nov. 26, 2014, 128 Stat. 2008, substituted “Preservation of audio and visual records” for “Preservation of motion-picture films, still pictures, and sound recordings” in item 2114.

2008—Pub. L. 110-404, §4(c), Oct. 13, 2008, 122 Stat. 4283, added item 2120.

2004—Pub. L. 108-383, §5(b), Oct. 30, 2004, 118 Stat. 2219, added item 2119.

1984—Pub. L. 98-497, title I, §102(c)(1), Oct. 19, 1984, 98 Stat. 2282, amended analysis generally, substituting “National Archives and Records” in chapter heading, adding items 2102 to 2106 and redesignating former items 2103 to 2114 as 2107 to 2118, respectively.

§ 2101. Definitions

As used in this chapter—

(1) “Presidential archival depository” means an institution operated by the United States to house and preserve the papers and books of a President or former President of the United States, together with other historical materials belonging to a President or former President of the United States, or related to his papers or to the events of his official or personal life, and may include research facilities and museum facilities in accordance with this chapter;

(2) “historical materials” including books, correspondence, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, motion pictures, sound recordings, and other objects or materials having historical or commemorative value;

(3) “Archivist” means the Archivist of the United States appointed under section 2103 of this title; and

(4) “Administration” means the National Archives and Records Administration established under section 2102 of this title.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1287; Pub. L. 98-497, title I, § 102(b), Oct. 19, 1984, 98 Stat. 2282; Pub. L. 99-323, § 2, May 27, 1986, 100 Stat. 495.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 397(j) (June 30, 1949, ch. 288, title V, § 507, as added Sept. 5, 1950, ch. 849, § 6(d), 64 Stat. 583, and amended July 12, 1962, ch. 703, § 1(o), (p), 66 Stat. 594; July 12, 1955, ch. 329, 69 Stat. 297; Aug. 12, 1955, ch. 859, 69 Stat. 695; July 3, 1956, ch. 513, § 4, 70 Stat. 494; June 13, 1957, Pub. L. 85-51, 71 Stat. 69; Mar. 15, 1958, Pub. L. 85-341, § 1(1), 72 Stat. 34).

AMENDMENTS

1986—Par. (1). Pub. L. 99-323 inserted “, and may include research facilities and museum facilities in accordance with this chapter” after “or personal life”.

1984—Pub. L. 98-497 substituted “this chapter” for “sections 2103-2113 of this title”, designated two existing paragraphs as pars. (1) and (2), respectively, and added pars. (3) and (4).

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.

§ 2102. Establishment

There shall be an independent establishment in the executive branch of the Government to be known as the National Archives and Records Administration. The Administration shall be administered under the supervision and direction of the Archivist.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1287; Pub. L. 98-497, title I, § 101, Oct. 19, 1984, 98 Stat. 2280.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 391(a) (June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381).

This section incorporates only the last sentence of paragraph (a) of former section 391. The balance of that section will be found in sections 1506, 2301, 2501, and 2902 of the revision.

AMENDMENTS

1984—Pub. L. 98-497 substituted provisions directing that there shall be an independent establishment in the executive branch of the Government to be known as the National Archives and Records Administration and that the Administration shall be administered under the supervision and direction of the Archivist for provisions which had formerly directed only that the Administrator of General Services appoint the Archivist of the United States.

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-497, title III, § 301, Oct. 19, 1984, 98 Stat. 2295, provided that: “The provisions of this Act [enacting sections 2103 to 2106 of this title and provisions set out as notes under this section and section 101 of this title, redesignating existing sections 2103 to 2114 as sections 2107 to 2118 of this title, amending this section, sections 710, 711, 729, 1501 to 1503, 1506, 1714, 2101, 2107 to 2118, 2204, 2205, 2301 to 2305, 2307, 2501, 2504, 2506, 2901 to 2909, 3102 to 3106, 3302 to 3303a, 3308, 3310, 3311, 3504, and 3513 of this title, provisions set out as a note under section 2111 of this title, sections 106a, 106b, 112, 113, and 201 of Title 1, General Provisions, sections 6 and 11 to 13 of Title 3, The President, sections 141 to 145 of Title 4, Flag and Seal, Seat of Government, and the States, sections 552a and 5314 of Title 5, Government Organization and Employees, section 199a of Title 25, Indians, and repealing section 2507 of this title] (including the amendments made by this Act) shall be effective on April 1, 1985.”

SAVINGS PROVISION

Pub. L. 98-497, title I, § 105, Oct. 19, 1984, 98 Stat. 2284, provided that:

“(a) All orders, determinations, rules, regulations, grants, contracts, agreements, permits, licenses, privileges, and other actions which have been issued, granted, made, undertaken, or entered into in the performance of any function transferred by this Act [Pub. L. 98-497] or the amendments made by this Act shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by any authorized official, a court of competent jurisdiction, or by operation of law.

“(b)(1) The transfer of functions by this Act [Pub. L. 98-497] and by the amendments made by this Act shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of this Act [Apr. 1, 1985] before the General Services Administration; but such proceedings and applications, to the extent that they relate to the functions so transferred, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Archivist, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

“(2) The Archivist is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under paragraph (1) from the General Services Administration to the Administration.

“(c) Except as provided in subsection (e)—

“(1) the provisions of this Act [Pub. L. 98-497] and of the amendments made by this Act shall not affect actions commenced prior to the effective date of this Act [Apr. 1, 1985], and

“(2) in all such actions, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

“(d) No action or other proceeding lawfully commenced by or against any officer of the United States acting in the official capacity of such officer shall abate by reason of any transfer of functions by this Act [Pub. L. 98-497] or by an amendment made by this Act. No cause of action by or against the General Services Administration or by or against any officer thereof in the official capacity of such officer shall abate by reason of any such transfer of functions.

“(e) If, before the date on which this Act takes effect [Apr. 1, 1985], the General Services Administration or any officer thereof in the official capacity of such officer, is a party to an action, and under this Act [Pub. L. 98-497] or the amendments made by this Act any function in connection with such action is transferred to the Archivist or any other official of the Administration, then such action shall be continued with the Archivist or other appropriate official of the Administration substituted or added as a party.

“(f) Orders and actions of the Archivist in the exercise of functions transferred by this Act [Pub. L. 98-497] or by amendments made by this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the individual holding the office of Archivist of the United States on the day before the effective date of this Act [Apr. 1, 1985] or the Administrator of General Services in the exercise of such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act or by any amendment made by this Act shall apply to the exercise of such function by the Archivist.”