

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).

#### Statutory Notes and Related Subsidiaries

##### 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 microfacsimile form, except superseded publications or those issued later in bound form which may be discarded as authorized by the Superintendent of Documents.

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

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §92 (part) (Jan. 12, 1895, ch. 23, §74, 28 Stat. 620; June 20, 1936, ch. 630, title VII, §11, 49 Stat. 1552; Aug. 9, 1962, Pub. L. 87-579, §8, 76 Stat. 355).

The first sentence of section 92, is classified to section 1119; the remainder comprises this section of the revision.

#### § 1912. Regional depositories; designation; functions; disposal of publications

Not more than two depository libraries in each State and the Commonwealth of Puerto Rico may be designated as regional depositories, and shall receive from the Superintendent of Documents copies of all new and revised Government publications authorized for distribution to depository libraries. Designation of regional depository libraries may be made by a Senator or the Resident Commissioner from Puerto Rico within the areas served by them, after approval by the head of the library authority of the State or the Commonwealth of Puerto Rico, as the case may be, who shall first ascertain from the head of the library to be so designated that the library will, in addition to fulfilling the requirements for depository libraries, retain at least one copy of all Government publications either in printed or microfacsimile form (except those authorized to be discarded by the Superintendent of Documents); and within the region served will provide interlibrary loan, reference service, and assistance for depository libraries in the disposal of unwanted Government publications. The agreement to function as a regional depository library shall be transmitted to the Superintendent of Documents by the Senator or the Resident Commissioner from Puerto Rico when the designation is made.

The libraries designated as regional depositories may permit depository libraries, within the areas served by them, to dispose of Government publications which they have retained for five years after first offering them to other depository libraries within their area, then to other libraries.

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

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §84a (Pub. L. 87-579, §9, Aug. 9, 1962, 76 Stat. 355.)