

2905. Establishment of standards for selective retention of records; security measures.
2906. Inspection of agency records.
2907. Records centers and centralized microfilming or digitization services.
2908. Regulations.
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2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts.
2912. Preservation of electronic messages and other records.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283, div. H, title XCVI, §9602(b)(4), Jan. 1, 2021, 134 Stat. 4829, added item 2912.

2017—Pub. L. 115-85, §2(a)(4), Nov. 21, 2017, 131 Stat. 1275, repealed Pub. L. 113-187, §9(f)(1). See 2014 Amendment note below.

2014—Pub. L. 113-187, §9(f)(1), Nov. 26, 2014, 128 Stat. 2014, which directed striking out “AND BY THE ADMINISTRATOR OF GENERAL SERVICES” in chapter heading, was repealed by Pub. L. 115-85, §2(a)(4), (b), Nov. 21, 2017, 131 Stat. 1275, effective as if included in Pub. L. 113-187.

Pub. L. 113-187, §§9(b)(2), 10(b), Nov. 26, 2014, 128 Stat. 2013-2015, inserted “or digitization” after “microfilming” in item 2907 and added item 2911.

2000—Pub. L. 106-444, §2(b), Nov. 6, 2000, 114 Stat. 1929, added item 2910.

1984—Pub. L. 98-497, title I, §107(b)(18)(A), Oct. 19, 1984, 98 Stat. 2290, inserted “THE ARCHIVIST OF THE UNITED STATES AND BY THE” in chapter heading.

1976—Pub. L. 94-575, §2(b), Oct. 21, 1976, 90 Stat. 2726, substituted “Objectives of records management” for “Records management, surveys, and reports” in item 2902, “General responsibilities of Administrator” for “Records management by Administrator; duties generally” in item 2904, “Inspection of agency records” for “Personal inspection and survey of records” in item 2906, “Records centers and centralized microfilming services” for “Records centers for storage, process, and servicing of records” in item 2907, reenacted without change items 2901, 2903, 2905, 2908, and 2909, and struck out item 2910 “Final authority of Administrator in records practices”.

§ 2901. Definitions

As used in this chapter, and chapters 21, 25, 31, and 33 of this title—

(1) the term “records” has the meaning given it by section 3301 of this title;

(2) the term “records management” means the planning, controlling, directing, organizing, training, promoting, and other managerial activities involved with respect to records creation, records maintenance and use, and records disposition 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;

(3) the term “records creation” means the production or reproduction of any record;

(4) the term “records maintenance and use” means any activity involving—

(A) location of records of a Federal agency;

(B) storage, retrieval, and handling of records kept at office file locations by or for a Federal agency;

(C) processing of mail by a Federal agency;

or

(D) selection and utilization of equipment and supplies associated with records and copying;

(5) the term “records disposition” means any activity with respect to—

(A) disposal of temporary records no longer necessary for the conduct of business by destruction or donation;

(B) transfer of records to Federal agency storage facilities or records centers;

(C) transfer to the National Archives of the United States of records determined to have sufficient historical or other value to warrant continued preservation; or

(D) transfer of records from one Federal agency to any other Federal agency;

(6) the term “records center” means an establishment maintained and operated by the Archivist or by another Federal agency primarily for the storage, servicing, security, and processing of records which need to be preserved for varying periods of time and need not be retained in office equipment or space;

(7) the term “records management study” means an investigation and analysis of any Federal agency records, or records management practices or programs (whether manual or automated), with a view toward rendering findings and recommendations with respect thereto;

(8) the term “inspection” means reviewing any Federal agency’s records or records management practices or programs with respect to effectiveness and compliance with records management laws and making necessary recommendations for correction or improvement of records management;

(9) the term “servicing” means making available for use information in records and other materials in the custody of the Archivist, or in a records center—

(A) by furnishing the records or other materials, or information from them, or copies or reproductions thereof, to any Federal agency for official use, or to the public; or

(B) by making and furnishing authenticated or unauthenticated copies or reproductions of the records or other materials;

(10) the term “unauthenticated copies” means exact copies or reproductions of records or other materials that are not certified as such under seal and that need not be legally accepted as evidence;

(11) the term “National Archives of the United States” means those official records which have been determined by the Archivist of the United States to have sufficient historical or other value to warrant their continued preservation by the Federal Government, and which have been accepted by the Archivist for deposit in the Archivist’s custody;

(12) the term “Archivist” means the Archivist of the United States;

(13) the term “executive agency” shall have the meaning given such term by section 102 of title 40;

(14) the term “Federal agency” means any executive agency or any establishment in the legislative or judicial branch of the Government (except the Supreme Court, the Senate, the House of Representatives, and the Architect of the Capitol and any activities under the direction of the Architect of the Capitol);