

One Hundred Eighth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the twentieth day of January, two thousand and four*

An Act

To amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration and to reauthorize the National Historical Publications and Records Commission.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Archives and Records Administration Efficiency Act of 2004”.

SEC. 2. EXTENSION OF RECORDS RETENTION PERIODS.

(a) EXTENSION OF RECORDS RETENTION PERIODS BY REGULATION.—Section 2909 of title 44, United States Code, is amended—

- (1) by striking “, upon the submission of evidence of need,”;
- (2) by striking “; and, in accordance with regulations promulgated by him,” and inserting “, and”; and

(3) by adding at the end the following: “The Archivist shall promulgate regulations in accordance with section 2104(a) of this title to implement this section.”

(b) CONFORMING AMENDMENT.—Subsection (d) of section 3303a of title 44, United States Code, is amended by striking the second sentence.

SEC. 3. AUTHORITY FOR RECORDS CENTER REVOLVING FUND TO BE USED FOR THE PURCHASE AND CARE OF UNIFORMS FOR RECORDS CENTERS EMPLOYEES.

Subsection (a) under the heading “RECORDS CENTER REVOLVING FUND” in title IV of the Independent Agencies Appropriations Act, 2000 (Public Law 106–58; 113 Stat. 460; 44 U.S.C. 2901 note), is amended by inserting after “expenses” in the first sentence the following: “(including expenses for uniforms or allowances for uniforms as authorized by subchapter I of chapter 59 of title 5)”.

SEC. 4. AUTHORITY TO CHARGE FEES FOR PUBLIC USE OF FACILITIES OF NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

(a) PRESIDENTIAL ARCHIVAL DEPOSITORIES.—Subsection (e) of section 2112 of title 44, United States Code, is amended by striking “space” and inserting “space, or for the occasional, non-official use of rooms and spaces (and services related to such use),”.

(b) NATIONAL ARCHIVES BUILDING AND OTHER BUILDINGS USED FOR RECORD STORAGE.—Section 2903 of title 44, United States Code, is amended—

- (1) by inserting “(a)” before “The Archivist”; and
- (2) by adding at the end the following new subsection:

“(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.”.

SEC. 5. AUTHORITY TO USE COOPERATIVE AGREEMENTS WITH STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS, AND OTHER PUBLIC AND NONPROFIT ORGANIZATIONS TO FURTHER NARA PROGRAMS.

(a) **AUTHORITY.**—Chapter 21 of title 44, United States Code, is amended by adding at the end the following new section:

“§ 2119. Cooperative agreements

“(a) **AUTHORITY.**—The Archivist may enter into cooperative agreements pursuant to section 6305 of title 31 that involve the transfer of funds from the National Archives and Records Administration to State and local governments, other public entities, educational institutions, or private nonprofit organizations (including foundations or institutes organized to support the National Archives and Records Administration or the Presidential archival depositories operated by it) for the public purpose of carrying out programs of the National Archives and Records Administration.

“(b) **LIMITATIONS.**—Not more than \$25,000 may be transferred under a cooperative agreement entered into as authorized by subsection (a). Not more than a total of \$75,000 may be transferred under such agreements in any fiscal year.

“(c) **REPORT.**—Not later than December 31st of each year, the Archivist shall submit to the Committee on Government Reform of the House of Representatives and the Committee on Governmental Affairs of the Senate a report on the provisions, amount, and duration of each cooperative agreement entered into as authorized by subsection (a) during the preceding fiscal year.”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“2119. Cooperative agreements.”.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS THROUGH FISCAL YEAR 2009 FOR NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION.

Section 2504(f)(1) of title 44, United States Code, is amended—

- (1) in subparagraph (N), by striking “and”;
- (2) in subparagraph (O), by striking the period and inserting a semicolon; and
- (3) by adding at the end of the following new subparagraphs:

“(P) \$10,000,000 for fiscal year 2006;
“(Q) \$10,000,000 for fiscal year 2007;

H. R. 3478—3

“(R) \$10,000,000 for fiscal year 2008; and
“(S) \$10,000,000 for fiscal year 2009.”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*