shall notify the head of a Federal agency of any value, and assist Federal agencies in applying the selective retention of records of continuing Congress when such a request has been made.

The Archivist shall request the Attorney General does not initiate an action for such recovery or become to his attention, and assist the head of the agency in initiating action through the Attorney General for the recovery of records unlawfully removed and for other redress provided by law. 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.

The Archivist shall assist the Administrator for the Office of Information and Regulatory Affairs in conducting studies and developing standards relating to record retention requirements imposed on the public and on State and local governments by Federal agencies.

Based on 44 U.S. Code, 1964 ed., § 395(b) (June 30, 1949, ch. 288, title V, § 503(b), as added Sept. 5, 1950, ch. 449, § 6(d), 64 Stat. 583.)

1984—Subsec. (a). 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.”

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

Effective Date of 1984 Amendment

Effective Date of 1980 Amendment
Section 5 of Pub. L. 96–511 provided: “This Act [enacting chapter 35 of this title, amending this section, section 3205 of this title, section 3535 of Title 5, Government Organization and Employees, section 1221–3 of Title 29, Education, section 1221 of Title 30, Mineral Lands and Mining, and section 292h of Title 42, The Public Health and Welfare, and enacting provisions set out as notes under sections 101 and 3503 of this title] shall take effect on April 1, 1981.”

Section Referred to in Other Sections
This section is referred to in section 2102 of this title.

§ 2906. Inspection of agency records

(a)(1) In carrying out their respective duties and responsibilities under this chapter, the Administrator of General Services and the Archivist (or the designee of either) may inspect the records or the records management practices and programs of any Federal agency solely for the purpose of rendering recommendations for the improvement of records management practices and programs. Officers and employees of such agencies shall cooperate fully in such inspections, subject to the provisions of paragraphs (2) and (3) of this subsection.

(b) 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 Administrator and the Archivist, subject to the approval of the head of the agency concerned or of the President. The regulations promulgated by the Administrator and the Archivist under this paragraph shall, to the extent practicable, be identical.

(3) If the Administrator or the Archivist (or the designee of either) inspects a record, as provided in this subsection, which is contained in a system of records which is subject to section 522a of title 5, such record shall be—
(A) maintained by the Administrator, 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 Administrator and the Archivist (or the designee of either) 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.


PRIOR PROVISIONS

AMENDMENTS
1984—Pub. L. 98–497 inserted reference to Archivist in four places in subsecs. (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

SECTION REFERRED TO IN OTHER SECTIONS
This section is referred to in section 3102 of this title.

§ 2907. Records centers and centralized microfilming services

The Archivist may establish, maintain, and operate records centers and centralized microfilming services for Federal agencies.


PRIOR PROVISIONS

AMENDMENTS

EFFECTIVE DATE OF 1984 AMENDMENT

SECTION REFERRED TO IN OTHER SECTIONS
This section is referred to in sections 3102, 3303a of this title.

§ 2908. Regulations

Subject to applicable law, the Archivist shall promulgate regulations governing the transfer of records from the custody of one executive agency to that of another.


HISTORICAL AND REVISION NOTES


AMENDMENTS

EFFECTIVE DATE OF 1984 AMENDMENT

SECTION REFERRED TO IN OTHER SECTIONS
This section is referred to in section 3102 of this title.

§ 2909. Retention of records

The Archivist may empower a Federal agency, upon the submission of evidence of need, to retain records for a longer period than that specified in disposal schedules; and, in accordance with regulations promulgated by him, may withdraw disposal authorizations covering records listed in disposal schedules.


HISTORICAL AND REVISION NOTES


AMENDMENTS


EFFECTIVE DATE OF 1984 AMENDMENT

SECTION REFERRED TO IN OTHER SECTIONS
This section is referred to in sections 3102, 3303a of this title.


CHAPTER 31—RECORDS MANAGEMENT BY FEDERAL AGENCIES

Sec.
3101. Records management by agency heads; general duties.
3102. Establishment of program of management.
3103. Transfer of records to records centers.
3104. Certifications and determinations on transferred records.
3105. Safeguards.
3106. Unlawful removal, destruction of records.
3107. Authority of Comptroller General.

AMENDMENTS