CHAPTER 33—DISPOSAL OF RECORDS

Sec.
3301. Definition of records.
3302. Regulations covering lists of records for disposal, procedure for disposal, and standards for reproduction.
3303. Lists and schedules of records to be submitted to Archivist by head of each Government agency.[1]
3303a. Examination by Archivist of lists and schedules of records lacking preservation value; disposal of records.
[3304 to 3307. Repealed.]
3308. Disposal of similar records where prior disposal was authorized.
3309. Preservation of claims of Government until settled in Government Accountability Office; disposal authorized upon written approval of Comptroller General.
3310. Disposal of records constituting menace to health, life, or property.
3311. Destruction of records outside continental United States in time of war or when hostile action seems imminent; written report to Archivist.
3312. Photographs or microphotographs of records considered as originals; certified reproductions admissible in evidence.
3313. Moneys from sale of records payable into the Treasury.
3314. Procedures for disposal of records exclusive.
3315. Definitions.
3316. Establishment of Commission.
3317. Duties of Commission.
3318. Membership.
3319. Director and staff; experts and consultants.
3320. Powers of Commission.
3321. Support services.
3322. Report.
3323. Termination.
3324. Authorization of appropriations.

AMENDMENTS

2004—Pub. L. 108–271, § 8(b), July 7, 2004, 118 Stat. 814, substituted ''Government Accountability Office'' for ''General Accounting Office'' in item 3309.

1984—Pub. L. 98–497, title I, § 107(b)(25)(D), Oct. 19, 1984, 98 Stat. 2290, substituted ''Archivist'' for ''Administrator of General Services'' in items 3303, 3303a, and 3311.

1976—Pub. L. 94–575, § 4(c)(1), Oct. 21, 1976, 90 Stat. 2727, struck out ''; approval by President'' after ''standards for reproduction'' in item 3302.

1974—Pub. L. 93–526, title II, § 203, Dec. 19, 1974, 88 Stat. 1702, added items 3315 to 3324.

1970—Pub. L. 91–287, § 3, June 23, 1970, 84 Stat. 322, inserted item 3303a and struck out items 3304 ''Lists and schedules of records lacking preservation value; submission to Congress by Administrator of General Services'', 3305 ''Examination of lists and schedules by joint congressional committee and report to Congress'', 3306 ''Disposal of records by head of Government agency upon notification by Administrator of General Services of action by joint congressional committee'', and 3307 ''Disposal of records upon failure of joint congressional committee to act''.

§ 3301. Definition of records

As used in this chapter, ''records'' includes all books, papers, maps, photographs, machine readable materials, or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the United States Government under Federal law or in connection with the transaction of public business and preserved or appropriate for preservation by that agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the Government or because of the informational value of data in them. Library and museum material made or acquired and preserved solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference, and stocks of publications and of processed documents are not included.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1299; Pub. L. 94–575, § 4(c)(2), Oct. 21, 1976, 90 Stat. 2727.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 366 (July 7, 1943, ch. 192, § 1, 57 Stat. 380).

AMENDMENTS

1976—Pub. L. 94–575 expanded ''records'' to include ''machine readable materials''.

§ 3302. Regulations covering lists of records for disposal, procedure for disposal, and standards for reproduction

The Archivist shall promulgate regulations, not inconsistent with this chapter, establishing—

(1) procedures for the compiling and submitting to him of lists and schedules of records proposed for disposal,

(2) procedures for the disposal of records authorized for disposal, and

(3) standards for the reproduction of records by photographic or microphotographic processes with a view to the disposal of the original records.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1299; Pub. L. 94–575, § 4(c)(1), Oct. 21, 1976, 90 Stat. 2727; Pub. L. 98–497, title I, § 107(b)(23), Oct. 19, 1984, 98 Stat. 2290.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 367 (July 7, 1943, ch. 192, § 2, 57 Stat. 381; June 30, 1949, ch. 288, title I, § 104, 63 Stat. 381).

AMENDMENTS

1984—Pub. L. 98–497 substituted ''Archivist'' for ''Administrator of General Services''.

1976—Pub. L. 94–575 struck out ''; approval by President'' after ''standards for reproduction'' in section catchline.

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.

§ 3303. Lists and schedules of records to be submitted to the Archivist by head of each Government agency

The head of each agency of the United States Government shall submit to the Archivist, under regulations promulgated as provided by section 3302 of this title—

(1) lists of any records in the custody of the agency that have been photographed or microphotographed under the regulations and that, as a consequence, do not appear to have suffi-

[1] Does not conform to section catchline.