AMENDMENTS

1982—Pub. L. 97–276 substituted ''not to exceed twenty-five copies of'' for '', and for international exchange as provided by section 1719 of this title, not to exceed one hundred and fifty copies of''.

§ 1719. International exchange of Government publications

For the purpose of more fully carrying into effect the convention concluded at Brussels on March 15, 1886, and proclaimed by the President of the United States on January 15, 1889, there shall be supplied to the Superintendent of Documents not to exceed one hundred and twenty-five copies each of all Government publications, including the daily and bound copies of the Congressional Record, for distribution to those foreign governments which agree, as indicated by the Library of Congress, to send to the United States similar publications of their governments for delivery to the Library of Congress. Confidential matter, blank forms, circular letters not of a public character, publications determined by their issuing department, office, or establishment to be required for official use only or for strictly administrative or operational purposes which have no public interest or educational value, and publications classified for reasons of national security shall be exempted from this requirement. The printing, binding, and distribution costs of any publications distributed in accordance with this section shall be charged to appropriations provided the Superintendent of Documents for that purpose.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282; Pub. L. 97–276, § 101(e), Oct. 2, 1982, 96 Stat. 1189; Pub. L. 99–500, § 101(j), Oct. 18, 1986, 100 Stat. 1783–287, and Pub. L. 99–591, § 101(j), Oct. 30, 1986, 100 Stat. 3341–287, as amended Pub. L. 100–71, title I, July 11, 1987, 101 Stat. 425.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., § 139a (Mar. 2, 1901, No. 16, § 3, 31 Stat. 1465; Mar. 3, 1925, ch. 421, § 7, 43 Stat. 1106; June 20, 1936, ch. 630, title IV, § 6, 49 Stat. 1550).

REFERENCES IN TEXT

There were two conventions concluded at Brussels on Mar. 15, 1886, and proclaimed by the President on Jan. 15, 1889: one was a convention ''for the international exchange of official documents, scientific, and literary publications''; the other was ''for the immediate exchange of the official journals, parliamentary annals, and documents.''

CODIFICATION

Pub. L. 99–591 is a corrected version of Pub. L. 99–500.

The 1986 amendment is based on section 306 of title III of H.R. 5203 (see House Report 99–805 as filed in the House on Aug. 15, 1986), and incorporated by reference in section 101(j) of Pub. L. 99–500 and 99–591, as amended by Pub. L. 100–71, to be effective as if enacted into law.

The 1982 amendment by Pub. L. 97–276 is based on section 305(b) of S. 2939, Ninety-seventh Congress, 2d Session, as reported Sept. 22, 1982, and incorporated by reference in section 101(e) of Pub. L. 97–276, to be effective as if enacted into law.

AMENDMENTS

1986—Pub. L. 99–500 and 99–591, as amended by Pub. L. 100–71, amended last sentence generally, substituting ''charged to appropriations provided the Superintendent of Documents for that purpose'' for ''chargeable to the department, office, or establishment issuing the publication''. See Codification note above.

1982—Pub. L. 97–276 substituted ''Superintendent of Documents'' for first reference to ''Library of Congress'' and ''for distribution to those foreign governments which agree, as indicated by the Library of Congress, to send to the United States similar publications of their governments for delivery to the Library of Congress'' for ''for distribution, through the Smithsonian Institution, to foreign governments which agree to send to the United States similar publications of their governments for delivery to the Library of Congress'', and inserted ''Confidential matter, blank forms, circular letters not of a public character, publications determined by their issuing department, office, or establishment to be required for official use only or for strictly administrative or operational purposes which have no public interest or educational value, and publications classified for reasons of national security shall be exempted from this requirement. The printing, binding, and distribution costs of any publication distributed in accordance with this section shall be chargeable to the department, office, or establishment issuing the publication.''

§ 1720. Documents not needed by departments to be turned over to Superintendent of Documents

Public documents accumulating in the several executive departments, bureaus, and offices, not needed for official use, shall be turned over to the Superintendent of Documents annually for distribution or sale.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 78 (Jan. 12, 1895, ch. 23, § 67, 28 Stat. 611).

§ 1721. Exchange of documents by heads of departments

Heads of departments may exchange surplus documents for other documents and books required by them, when it is to the advantage of the public service.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 93 (Jan. 12, 1895, ch. 23, § 95, 28 Stat. 623).

§ 1722. Departmental distribution of publications

Government publications printed for or received by the executive departments, whether for official use or for distribution, except those required by section 1701 of this title to be distributed by the Public Printer, shall be distributed by a competent person detailed to this duty in each department by the head of the department. He shall prevent duplication and make detailed report to the head of the department.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1282.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 96 (Jan. 12, 1895, ch. 23, § 92, 28 Stat. 623; May 29, 1928, ch. 901, § 1(2), 45 Stat. 986).

CHAPTER 19—DEPOSITORY LIBRARY PROGRAM

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1901. Definition of Government publication.

Sec.
1902. Availability of Government publications through Superintendent of Documents; lists of publications not ordered from Government Printing Office.
1903. Distribution of publications to depositories; notice to Government components; cost of printing and binding.
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1905. Distribution to depositories; designation of additional libraries; justification; authorization for certain designations.
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1910. Designations of replacement depositories; limitations on numbers; conditions.
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1912. Regional depositories; designation; functions; disposal of publications.
1913. Appropriations for supplying depository libraries; restriction.
1914. Implementation of depository library program by Public Printer.
1915. Highest State appellate court libraries as depository libraries.
1916. Designation of libraries of accredited law schools as depository libraries.

AMENDMENTS

1978—Pub. L. 95–261, § 2, Apr. 17, 1978, 92 Stat. 199, added item 1916.

1972—Pub. L. 92–368, § 1(b), Aug. 10, 1972, 86 Stat. 507, added item 1915.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94–575, set out as a note under section 2901 of this title.

§ 1901. Definition of Government publication

''Government publication'' as used in this chapter, means informational matter which is published as an individual document at Government expense, or as required by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81a (Pub. L. 87–579, § 1, Aug. 9, 1962, 76 Stat. 352).

§ 1902. Availability of Government publications through Superintendent of Documents; lists of publications not ordered from Government Printing Office

Government publications, except those determined by their issuing components to be required for official use only or for strictly administrative or operational purposes which have no public interest or educational value and publications classified for reasons of national security, shall be made available to depository libraries through the facilities of the Superintendent of Documents for public information. Each component of the Government shall furnish the Superintendent of Documents a list of such publications it issued during the previous month, that were obtained from sources other than the Government Printing Office.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81b (Pub. L. 87–579, § 1, Aug. 9, 1962, 76 Stat. 352).

§ 1903. Distribution of publications to depositories; notice to Government components; cost of printing and binding

Upon request of the Superintendent of Documents, components of the Government ordering the printing of publications shall either increase or decrease the number of copies of publications furnished for distribution to designated depository libraries and State libraries so that the number of copies delivered to the Superintendent of Documents is equal to the number of libraries on the list. The number thus delivered may not be restricted by any statutory limitation in force on August 9, 1962. Copies of publications furnished the Superintendent of Documents for distribution to designated depository libraries shall include—

the journals of the Senate and House of Representatives;

all publications, not confidential in character, printed upon the requisition of a congressional committee;

Senate and House public bills and resolutions; and

reports on private bills, concurrent or simple resolutions;

but not so-called cooperative publications which must necessarily be sold in order to be self-sustaining.

The Superintendent of Documents shall currently inform the components of the Government ordering printing of publications as to the number of copies of their publications required for distribution to depository libraries. The cost of printing and binding those publications distributed to depository libraries obtained elsewhere than from the Government Printing Office, shall be borne by components of the Government responsible for their issuance; those requisitioned from the Government Printing Office shall be charged to appropriations provided the Superintendent of Documents for that purpose.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1283.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 85 (part) (Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; June 25, 1938, ch. 708, 52 Stat. 1206; Aug. 9, 1962, Pub. L. 87–579, § 5, 76 Stat. 354).

The last paragraph of former section 85 will be found in section 1906 of the revision.

§ 1904. Classified list of Government publications for selection by depositories

The Superintendent of Documents shall currently issue a classified list of Government publications in suitable form, containing annotations of contents and listed by item identifica-

tion numbers to facilitate the selection of only those publications needed by depository libraries. The selected publications shall be distributed to depository libraries in accordance with regulations of the Superintendent of Documents, as long as they fulfill the conditions provided by law.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed. § 83 (R.S. § 502; Jan. 12, 1895, ch. 23, §§ 53, 61, 28 Stat. 608, 610; Aug. 9, 1962, Pub. L. 87–579, § 3, 76 Stat. 353).

§ 1905. Distribution to depositories; designation of additional libraries; justification; authorization for certain designations

The Government publications selected from lists prepared by the Superintendent of Documents, and when requested from him, shall be distributed to depository libraries specifically designated by law and to libraries designated by Senators, Representatives, and the Resident Commissioner from Puerto Rico, by the Commissioner of the District of Columbia,[1] and by the Governors of Guam, American Samoa, and the Virgin Islands, respectively. Additional libraries within areas served by Representatives or the Resident Commissioner from Puerto Rico may be designated by them to receive Government publications to the extent that the total number of libraries designated by them does not exceed two within each area. Not more than two additional libraries within a State may be designated by each Senator from the State. Before an additional library within a State, congressional district or the Commonwealth of Puerto Rico is designated as a depository for Government publications, the head of that library shall furnish his Senator, Representative, or the Resident Commissioner from Puerto Rico, as the case may be, with justification of the necessity for the additional designation. The justification, which shall also include a certification as to the need for the additional depository library designation, shall be signed by the head of every existing depository library within the congressional district or the Commonwealth of Puerto Rico or by the head of the library authority of the State or the Commonwealth of Puerto Rico, within which the additional depository library is to be located. The justification for additional depository library designations shall be transmitted to the Superintendent of Documents by the Senator, Representative, or the Resident Commissioner from Puerto Rico, as the case may be. The Commissioner of the District of Columbia may designate two depository libraries in the District of Columbia, the Governor of Guam and the Governor of American Samoa may each designate one depository library in Guam and American Samoa, respectively, and the Governor of the Virgin Islands may designate one depository library on the island of Saint Thomas and one on the island of Saint Croix.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1284.)

[1] See Transfer of Functions note below.

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 82 (R.S. § 501; Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; Aug. 9, 1962, Pub. L. 87–579, § 2, 76 Stat. 353).

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.

NORTHERN MARIANAS COLLEGE AS DEPOSITORY

Pub. L. 101–219, title II, § 202, Dec. 12, 1989, 103 Stat. 1874, provided that: "The Northern Marianas College is hereby constituted a depository to receive Government publications, and the Superintendent of Documents shall supply to the Northern Marianas College one copy of each such publication in the same form as supplied to other designated depositories."

DISTRICT OF COLUMBIA PUBLIC LIBRARY AS DEPOSITORY

Act Sept. 28, 1943, ch. 243, 57 Stat. 568, provided: "That the Public Library of the District of Columbia is hereby constituted a designated depository of governmental publications, and the Superintendent of Documents shall supply to such library one copy of each such publication, in the same form as supplied to other designated depositories."

§ 1906. Land-grant colleges constituted depositories

Land-grant colleges are constituted depositories to receive Government publications subject to the depository laws.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 85 (part) (Mar. 1, 1907, ch. 2284, § 4, 34 Stat. 1014; June 25, 1938, ch. 708, 52 Stat. 1206; Aug. 9, 1962, Pub. L. 87–579, 76 Stat. 354).

This section is from the last paragraph of former section 85; the remainder of that section will be found in section 1903 of the revision.

§ 1907. Libraries of executive departments, service academies, and independent agencies constituted depositories; certifications of need; disposal of unwanted publications

The libraries of the executive departments, of the United States Military Academy, of the United States Naval Academy, of the United States Air Force Academy, of the United States Coast Guard Academy, and of the United States Merchant Marine Academy are designated depositories of Government publications. A depository library within each independent agency may be designated upon certification of need by the head of the independent agency to the Superintendent of Documents. Additional depository libraries within executive departments and independent agencies may be designated to receive Government publications to the extent that the number so designated does not exceed the number of major bureaus or divisions of the departments and independent agencies. These designations may be made only after certification by the head of each executive department or independent agency to the Superintendent of Documents as to the justifiable need for additional depository libraries. Depository libraries within executive departments and independent

agencies may dispose of unwanted Government publications after first offering them to the Library of Congress and the Archivist of the United States.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1285.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 87 (Jan. 12, 1895, ch. 23, § 98, 28 Stat. 624; Aug. 9, 1962, Pub. L. 87–579, § 7, 76 Stat. 355).

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

ARCHIVIST OF THE UNITED STATES

References to Archivist of the United States deemed to refer to Archivist appointed under section 2103 of this title with respect to functions transferred by Pub. L. 98–497 or an amendment made by Pub. L. 98–497 and exercised after Apr. 1, 1985, see sections 106 and 108 of Pub. L. 98–497, set out as notes under section 2102 of this title.

§ 1908. American Antiquarian Society to receive certain publications

One copy of the public journals of the Senate and of the House of Representatives, and of the documents published under the orders of the Senate and House of Representatives, respectively, shall be transmitted to the Executive of the Commonwealth of Massachusetts for the use and benefit of the American Antiquarian Society of the Commonwealth.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1285.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 88 (Dec. 1, 1814, No. 7, 3 Stat. 248).

§ 1909. Requirements of depository libraries; reports on conditions; investigations; termination; replacement

Only a library able to provide custody and service for depository materials and located in an area where it can best serve the public need, and within an area not already adequately served by existing depository libraries may be designated by Senators, Representatives, the Resident Commissioner from Puerto Rico, the Commissioner of the District of Columbia,[1] or the Governors of Guam, American Samoa, or the Virgin Islands as a depository of Government 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).

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 micro-

[1] See Transfer of Functions note below.

facsimile 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.)

§ 1913. Appropriations for supplying depository libraries; restriction

Appropriations available for the Office of Superintendent of Documents may not be used to supply depository libraries documents, books, or other printed matter not requested by them, and their requests shall be subject to approval 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., § 85a (June 27, 1956, ch. 453, § 101, 70 Stat. 369).

§ 1914. Implementation of depository library program by Public Printer

The Public Printer, with the approval of the Joint Committee on Printing, as provided by section 103 of this title, may use any measures he considers necessary for the economical and practical implementation of this chapter.

(Pub. L. 90–620, Oct. 22, 1968, 82 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 81c (Pub. L. 87–579, § 10, Aug. 9, 1962, 76 Stat. 356).

§ 1915. Highest State appellate court libraries as depository libraries

Upon the request of the highest appellate court of a State, the Public Printer is authorized to designate the library of that court as a depository library. The provisions of section 1911 of this title shall not apply to any library so designated.

(Added Pub. L. 92–368, § 1(a), Aug. 10, 1972, 86 Stat. 507.)

§ 1916. Designation of libraries of accredited law schools as depository libraries

(a) Upon the request of any accredited law school, the Public Printer shall designate the library of such law school as a depository library. The Public Printer may not make such designation unless he determines that the library involved meets the requirements of this chapter, other than those requirements of the first undesignated paragraph of section 1909 of this title which relate to the location of such library.

(b) For purposes of this section, the term ''accredited law school'' means any law school which is accredited by a nationally recognized accrediting agency or association approved by the Commissioner of Education for such purpose or accredited by the highest appellate court of the State in which the law school is located.

(Added Pub. L. 95–261, § 1, Apr. 17, 1978, 92 Stat. 199.)

EFFECTIVE DATE

Section 3 of Pub. L. 95–261 provided that: ''The amendments made by this Act [enacting this section] shall take effect on October 1, 1978.''

TRANSFER OF FUNCTIONS

Functions of Commissioner of Education transferred to Secretary of Education pursuant to section 3441(a)(1) of Title 20, Education.

CHAPTER 21—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Sec.
2101. Definitions.
2102. Establishment.
2103. Officers.
2104. Administrative provisions.
2105. Personnel and services.
2106. Reports to Congress.
2107. Acceptance of records for historical preservation.
2108. Responsibility for custody, use, and withdrawal of records.
2109. Preservation, arrangement, duplication, exhibition of records.