§ 2909. Retention of records


Historical and Revision Notes


Amendments

2004—Pub. L. 108–383 struck out “, upon the submission of evidence of need,” after “Federal agency”, substituted “, and” for “; and, in accordance with regulations promulgated by him, “; and, inserted at end “The Archivist shall promulgate regulations in accordance with section 2104(a) of this title to implement this section.”


Effective Date of 1984 Amendment


§ 2910. Preservation of Freedmen’s Bureau records

The Archivist shall preserve the records of the Bureau of Refugees, Freedmen, and Abandoned Lands, commonly referred to as the “Freedmen’s Bureau”, by using—

(1) microfilm technology for preservation of the documents comprising these records so that they can be maintained for future generations; and

(2) the results of the pilot project with the University of Florida to create future partnerships with Howard University and other institutions for the purposes of indexing these records and making them more easily accessible to the public, including historians, genealogists, and students, and for any other purposes determined by the Archivist.

(Added Pub. L. 106–444, § 2(a), Nov. 6, 2000, 114 Stat. 1929.)

Prior Provisions


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


§ 3101. Records management by agency heads; general duties

The head of each Federal agency shall make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency and designed to furnish the information necessary to protect the legal and financial rights of the Government and of persons directly affected by the agency’s activities.


Historical and Revision Notes


Managing Government Records

Memorandum of President of the United States, Nov. 28, 2011, 76 F.R. 75423, provided:

Memorandum for the Heads of Executive Departments and Agencies

Section I. Purpose. This memorandum begins an executive branch-wide effort to reform records management policies and practices. Improving records management will improve performance and promote openness and accountability by better documenting agency actions and decisions. Records transferred to the National Archives and Records Administration (NARA) provide the prism through which future generations will understand and learn from our actions and decisions. Modernized records management will also help executive departments and agencies (agencies) minimize costs and operate more efficiently. Improved records management thus builds on Executive Order 13589 of November 9, 2011 (Promoting Efficient Spending), which directed agencies to reduce spending and focus on mission-critical functions.

When records are well-managed, agencies can use them to assess the impact of programs, to reduce redundant efforts, to save money, and to share knowledge within and across their organizations. In these ways, proper records management is the backbone of open Government.

Decades of technological advances have transformed agency operations, creating challenges and opportunities for agency records management. Greater reliance on electronic communication and systems has radically increased the volume and diversity of information that