

2290; Pub. L. 113-187, §8(11), Nov. 26, 2014, 128 Stat. 2012.)

#### REFERENCES IN TEXT

Sections 3304 to 3307 of this title, included in the reference in par. (1) to sections 3301 to 3314 of this title, were repealed by Pub. L. 91-287, §2(c), June 23, 1970, 84 Stat. 321.

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §396(e) (June 30, 1949, ch. 288, title V, §506(e), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

#### AMENDMENTS

2014—Pub. L. 113-187 substituted “the head of such agency” for “he” in introductory provisions.

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services”.

#### 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.

### § 3106. Unlawful removal, destruction of records

(a) FEDERAL AGENCY NOTIFICATION.—The head of each Federal agency shall notify the Archivist of any actual, impending, or threatened unlawful removal, defacing, alteration, corruption, deletion, erasure, or other destruction of records in the custody of the agency, and with the assistance of the Archivist shall initiate action through the Attorney General for the recovery of records the head of the Federal agency knows or has reason to believe have been unlawfully removed from that agency, or from another Federal agency whose records have been transferred to the legal custody of that Federal agency.

(b) ARCHIVIST NOTIFICATION.—In any case in which the head of a Federal 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 described in subsection (a), or is participating in, or believed to be participating in 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.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 98-497, title I, §107(b)(21), title II, §203(b), Oct. 19, 1984, 98 Stat. 2290, 2294; Pub. L. 113-187, §4, Nov. 26, 2014, 128 Stat. 2009.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §396(f) (June 30, 1949, ch. 288, title V, §506(f), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

#### AMENDMENTS

2014—Pub. L. 113-187 amended section generally. Prior to amendment, text read as follows: “The head of each Federal agency shall notify the Archivist of any actual, impending, or threatened unlawful removal, defacing, alteration, or destruction of records in the custody of the agency of which he is the head that shall come to his attention, and with the assistance of the Archivist shall initiate action through the Attorney General for the recovery of records he knows or has reason to believe have been unlawfully removed from his agency, or from another Federal agency whose records have been transferred to his legal custody. 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.”

1984—Pub. L. 98-497, §107(b)(21), substituted “Archivist” for “Administrator of General Services” and “Archivist” for “Administrator”.

Pub. L. 98-497, §203(b), inserted at end “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.”

#### 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.

### § 3107. Authority of Comptroller General

Chapters 21, 25, 27,<sup>1</sup> 29, and 31 of this title do not limit the authority of the Comptroller General of the United States with respect to prescribing accounting systems, forms, and procedures, or lessen the responsibility of collecting and disbursing officers for rendition of their accounts for settlement by the Government Accountability Office.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1298; Pub. L. 94-575, §3(a)(4), Oct. 21, 1976, 90 Stat. 2726; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §396(g) (June 30, 1949, ch. 288, title V, §506(g), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

#### REFERENCES IN TEXT

Chapter 27 of this title, referred to in text, was repealed by Pub. L. 95-378, §2(a), Sept. 22, 1978, 92 Stat. 723.

#### AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

1976—Pub. L. 94-575 substituted “Chapters 21, 25, 27, 29, and 31 of this title” for “Sections 2101-2113, 2501-2507, 2701, 2901, 2904-2910, and 3101-3107, of this title”.

## CHAPTER 33—DISPOSAL OF RECORDS

Sec.	
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[3304 to 3307.]	Repealed.]
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3309.	Preservation of claims of Government until settled in Government Accountability Office; disposal authorized upon written approval of Comptroller General.

<sup>1</sup> See References in Text note below.

<sup>1</sup> Does not conform to section catchline.

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 to 3324. Repealed.]

## AMENDMENTS

2014—Pub. L. 113-187, §7(b), Nov. 26, 2014, 128 Stat. 2011, struck out items 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”, and 3324 “Authorization of appropriations”.

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

## (a) RECORDS DEFINED.—

(1) IN GENERAL.—As used in this chapter, the term “records”—

(A) includes all recorded information, regardless of form or characteristics, made or received by a Federal agency 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 United States Government or because of the informational value of data in them; and

(B) does not include—

(i) library and museum material made or acquired and preserved solely for reference or exhibition purposes; or

(ii) duplicate copies of records preserved only for convenience.

(2) RECORDED INFORMATION DEFINED.—For purposes of paragraph (1), the term “recorded information” includes all traditional forms of records, regardless of physical form or characteristics, including information created, manipulated, communicated, or stored in digital or electronic form.

(b) DETERMINATION OF DEFINITION.—The Archivist’s determination whether recorded informa-

tion, regardless of whether it exists in physical, digital, or electronic form, is a record as defined in subsection (a) shall be binding on all Federal agencies.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1299; Pub. L. 94-575, §4(c)(2), Oct. 21, 1976, 90 Stat. 2727; Pub. L. 113-187, §5(a), Nov. 26, 2014, 128 Stat. 2009.)

## HISTORICAL AND REVISION NOTES

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

## AMENDMENTS

2014—Pub. L. 113-187 amended section generally. Prior to amendment, text read as follows: “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.”

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 the Archivist 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, microphotographic, or digital 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; Pub. L. 113-187, §§5(b), 8(12), Nov. 26, 2014, 128 Stat. 2010, 2012.)

## 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

2014—Par. (1). Pub. L. 113-187, §8(12), substituted “the Archivist” for “him”.

Par. (3). Pub. L. 113-187, §5(b), substituted “photographic, microphotographic, or digital processes” for “photographic or microphotographic processes”.

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, microphotographed, or digitized under the regulations and that, as a consequence, do not appear to have sufficient value to warrant their further preservation by the Government;

(2) lists of other records in the custody of the agency not needed by it in the transaction of its current business and that do not appear to have sufficient administrative, legal, research, or other value to warrant their further preservation by the Government; and

(3) schedules proposing the disposal after the lapse of specified periods of time of records of a specified form or character that either have accumulated in the custody of the agency or may accumulate after the submission of the schedules and apparently will not after the lapse of the period specified have sufficient administrative, legal, research, or other value to warrant their further preservation by the Government.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1299; Pub. L. 98-497, title I, § 107(b)(23), (25)(A), Oct. 19, 1984, 98 Stat. 2290; Pub. L. 113-187, § 5(c), Nov. 26, 2014, 128 Stat. 2010.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 368 (July 7, 1943, ch. 192, § 3, 57 Stat. 381; June 30, 1949, ch. 288, title I, § 104(a), 63 Stat. 381).

AMENDMENTS

2014—Par. (1). Pub. L. 113-187 substituted “photographed, microphotographed, or digitized” for “photographed or microphotographed”.

1984—Pub. L. 98-497 substituted “the Archivist” for “Administrator of General Services” in section catchline, and “Archivist” for “Administrator of General Services” in text.

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.

**§ 3303a. Examination by Archivist of lists and schedules of records lacking preservation value; disposal of records**

(a) The Archivist shall examine the lists and schedules submitted to the Archivist under section 3303 of this title. If the Archivist determines that any of the records listed in a list or schedule submitted to the Archivist do not, or will not after the lapse of the period specified, have sufficient administrative, legal, research, or other value to warrant their continued preservation by the Government, the Archivist may, after publication of notice in the Federal Register and an opportunity for interested persons to submit comment thereon—

(1) notify the agency to that effect; and

(2) empower the agency to dispose of those records in accordance with regulations promulgated under section 3302 of this title.

(b) Authorizations granted under lists and schedules submitted to the Archivist under section 3303 of this title, and schedules promulgated by the Archivist under subsection (d) of this section, shall be mandatory, subject to section 2909 of this title. As between an authorization granted under lists and schedules submitted to the Archivist under section 3303 of this title and an authorization contained in a schedule promulgated under subsection (d) of this section, application of the authorization providing for the shorter retention period shall be required, subject to section 2909 of this title.

(c) The Archivist may request advice and counsel from the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate with respect to the disposal of any particular records under this chapter whenever the Archivist considers that—

(1) those particular records may be of special interest to the Congress; or

(2) consultation with the Congress regarding the disposal of those particular records is in the public interest.

However, this subsection does not require the Archivist to request such advice and counsel as a regular procedure in the general disposal of records under this chapter.

(d) The Archivist shall promulgate schedules authorizing the disposal, after the lapse of specified periods of time, of records of a specified form or character common to several or all agencies if such records will not, at the end of the periods specified, have sufficient administrative, legal, research, or other value to warrant their further preservation by the United States Government.

(e) The Archivist may approve and effect the disposal of records that are in the Archivist's legal custody, provided that records that had been in the custody of another existing agency may not be disposed of without the written consent of the head of the agency.

(f) The Archivist shall make an annual report to the Congress concerning the disposal of records under this chapter, including general descriptions of the types of records disposed of and such other information as the Archivist considers appropriate to keep the Congress fully informed regarding the disposal of records under this chapter.

(Added Pub. L. 91-287, § 1, June 23, 1970, 84 Stat. 320; amended Pub. L. 95-440, § 1, Oct. 10, 1978, 92 Stat. 1063; Pub. L. 98-497, title I, § 107(b)(24), (25)(B), title II, § 204, Oct. 19, 1984, 98 Stat. 2290, 2294; Pub. L. 104-186, title II, § 223(10), Aug. 20, 1996, 110 Stat. 1752; Pub. L. 108-383, § 2(b), Oct. 30, 2004, 118 Stat. 2218; Pub. L. 113-187, §§ 5(d), 8(13), Nov. 26, 2014, 128 Stat. 2010, 2012.)

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-187, § 8(13)(A), in introductory provisions, substituted “submitted to the Archivist” for “submitted to him” in two places and “the Archivist may” for “he may”.

Subsec. (c). Pub. L. 113-187, § 8(13)(B), substituted “the Archivist considers” for “he considers” in introductory provisions.

Pub. L. 113-187, § 5(d), substituted “the Committee on Oversight and Government Reform of the House of Rep-

representatives and the Committee on Homeland Security and Governmental Affairs of the Senate” for “the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives” in introductory provisions.

Subsec. (e). Pub. L. 113-187, §8(13)(C), substituted “the Archivist’s” for “his”.

Subsec. (f). Pub. L. 113-187, §8(13)(D), substituted “the Archivist considers” for “he considers”.

2004—Subsec. (d). Pub. L. 108-383 struck out at end “A Federal agency may request changes in such schedules for its records pursuant to section 2909 of this title.”

1996—Subsec. (c). Pub. L. 104-186 substituted “House Oversight” for “House Administration”.

1984—Pub. L. 98-497, §107(b)(25)(B), substituted “Archivist” for “Administrator of General Services” in section catchline.

Subsec. (a). Pub. L. 98-497, §107(b)(24), substituted “Archivist” for “Administrator of General Services” and “Archivist” for “Administrator”.

Pub. L. 98-497, §204, inserted “, after publication of notice in the Federal Register and an opportunity for interested persons to submit comment thereon” after “may” in second sentence.

Subsecs. (b) to (f). Pub. L. 98-497, §107(b)(24)(B), substituted “Archivist” for “Administrator” wherever appearing.

1978—Subsec. (b). Pub. L. 95-440, §1(a), made schedules promulgated by Administrator under subsec. (d) of this section mandatory; inserted provision for application of authorization providing for shorter retention period as between an authorization granted under lists and schedules submitted under section 3303 of this title and an authorization in a schedule promulgated under subsec. (d) of this section; and struck out provision making permissive authorizations granted under subsec. (d) schedules.

Subsec. (d). Pub. L. 95-440, §1(b), (c), substituted “shall” for “may” in first sentence and authorized Federal agencies to request changes in disposal schedules for its records pursuant to section 2909 of this title.

#### 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.

#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in subsec. (f) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 7th item on page 180 of House Document No. 103-7.

### **[[§§ 3304 to 3307. Repealed. Pub. L. 91-287, §2(c), June 23, 1970, 84 Stat. 321]**

Section 3304, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1300, related to submission of lists and schedules of records lacking preservation value by the Administrator of General Services to Congress. See section 3303a of this title.

Section 3305, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1300, related to examination of lists and schedules by joint congressional committees and report to Congress. See section 3303a of this title.

Section 3306, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1300, related to disposal of records by head of Government agency upon notification by Administrator of action by joint congressional committee. See section 3303a of this title.

Section 3307, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301, related to disposal of records upon failure of joint congressional committees to act. See section 3303a of this title.

### **§ 3308. Disposal of similar records where prior disposal was authorized**

When it appears to the Archivist that an agency has in its custody, or is accumulating,

records of the same form or character as those of the same agency previously authorized to be disposed of, he may empower the head of the agency to dispose of the records, after they have been in existence a specified period of time, in accordance with regulations promulgated under section 3302 of this title and without listing or scheduling them.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 91-287, §2(a), June 23, 1970, 84 Stat. 321; 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., §373 (July 7, 1943, ch. 192, §8, 57 Stat. 382; June 30, 1949, ch. 288, title I, §104(a), 63 Stat. 381).

#### AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services”.

1970—Pub. L. 91-287 struck out “by Congress” after “authorized”.

#### 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.

### **§ 3309. Preservation of claims of Government until settled in Government Accountability Office; disposal authorized upon written approval of Comptroller General**

Records pertaining to claims and demands by or against the Government of the United States or to accounts in which the Government of the United States is concerned, either as debtor or creditor, may not be disposed of by the head of an agency under authorization granted under this chapter, until the claims, demands, and accounts have been settled and adjusted in the Government Accountability Office, except upon the written approval of the Comptroller General of the United States.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 91-287, §2(b), June 23, 1970, 84 Stat. 321; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §374 (July 7, 1943, ch. 192, §9, 57 Stat. 382).

#### AMENDMENTS

2004—Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in section catchline and text.

1970—Pub. L. 91-287 substituted “under this chapter” for “under sections 3306-3308 of this title”.

### **§ 3310. Disposal of records constituting menace to health, life, or property**

When the Archivist and the head of the agency that has custody of them jointly determine that records in the custody of an agency of the United States Government are a continuing menace to human health or life or to property, the Archivist shall eliminate the menace immediately by any method he considers necessary. When records in the custody of the Archivist are disposed of under this section, the Archivist shall report their disposal to the agency from which they were transferred.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 98-497, title I, §107(b)(24), Oct. 19, 1984, 98 Stat. 2290.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §375 (July 7, 1943, ch. 192, §10, 57 Stat. 382; June 30, 1949, ch. 288, title I, §104(a), 63 Stat. 381).

#### AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services” and “Archivist” for “Administrator” wherever appearing.

#### 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.

### § 3311. Destruction of records outside continental United States in time of war or when hostile action seems imminent; written report to Archivist

During a state of war between the United States and another nation, or when hostile action by a foreign power appears imminent, the head of an agency of the United States Government may authorize the destruction of records in his legal custody situated in a military or naval establishment, ship, or other depository outside the territorial limits of continental United States—

- (1) the retention of which would be prejudicial to the interests of the United States or
- (2) which occupy space urgently needed for military purposes and are, in his opinion, without sufficient administrative, legal, research, or other value to warrant their continued preservation.

Within six months after their disposal, the official who directed the disposal shall submit a written report to the Archivist in which he shall describe the character of the records and state when and where he disposed of them.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1301; Pub. L. 98-497, title I, §107(b)(23), (25)(C), Oct. 19, 1984, 98 Stat. 2290.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §376 (July 7, 1943, ch. 192, §11, 57 Stat. 382; June 30, 1949, ch. 288, title I, §104(a), 63 Stat. 381).

#### AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist” for “Administrator of General Services” in section catchline and text.

#### 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.

### § 3312. Photographs or microphotographs of records considered as originals; certified reproductions admissible in evidence

Photographs, microphotographs of records, or digitized records made in compliance with regulations under section 3302 of this title shall have the same effect as the originals and shall be treated as originals for the purpose of their ad-

missibility in evidence. Certified or authenticated reproductions of the photographs, microphotographs, or digitized records shall be admitted in evidence equally with the original photographs, microphotographs, or digitized records.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302; Pub. L. 113-187, §5(e), Nov. 26, 2014, 128 Stat. 2010.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §378 (July 7, 1943, ch. 192, §13, 57 Stat. 382).

#### AMENDMENTS

2014—Pub. L. 113-187 substituted “Photographs, microphotographs of records, or digitized records” for “Photographs or microphotographs of records” and substituted “photographs, microphotographs, or digitized records” for “photographs or microphotographs” in two places.

### § 3313. Moneys from sale of records payable into the Treasury

Moneys derived by agencies of the Government from the sale of records disposed of under this chapter shall be paid into the Treasury of the United States unless otherwise required by law.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §379 (July 7, 1943, ch. 192, §14, 57 Stat. 383).

### § 3314. Procedures for disposal of records exclusive

The procedures prescribed by this chapter are exclusive, and records of the United States Government may not be alienated or destroyed except under this chapter.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §380 (July 7, 1943, ch. 192, §15, 57 Stat. 383).

### [[§ 3315 to 3324. Repealed. Pub. L. 113-187, § 7(a), Nov. 26, 2014, 128 Stat. 2011]]

Section 3315, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1698, related to definitions of certain terms used in sections 3315 to 3324.

Section 3316, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1699, related to the establishment of the National Study Commission on Records and Documents of Federal Officials.

Section 3317, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1699, related to the duties of the Commission.

Section 3318, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1699; amended Pub. L. 94-261, §1(a), Apr. 11, 1976, 90 Stat. 326, related to membership of the Commission.

Section 3319, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1701, related to director, staff, experts, and consultants.

Section 3320, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1701, related to the powers of the Commission.

Section 3321, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1701, related to support services provided to the Commission by the Administrator of General Services and the Archivist of the United States.

Section 3322, added Pub. L. 93-526, title II, §202, Dec. 19, 1974, 88 Stat. 1701; amended Pub. L. 94-261, §1(b), Apr.

11, 1976, 90 Stat. 326, related to the report of the Commission.

Section 3323, added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701, related to termination of the Commission.

Section 3324, added Pub. L. 93-526, title II, § 202, Dec. 19, 1974, 88 Stat. 1701, related to authorization of appropriations.

## CHAPTER 35—COORDINATION OF FEDERAL INFORMATION POLICY

### SUBCHAPTER I—FEDERAL INFORMATION POLICY

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[SUBCHAPTER II—REPEALED]

[3531 to 3538. Repealed.]

[SUBCHAPTER III—REPEALED]

[3541 to 3549. Repealed.]

### SUBCHAPTER II—INFORMATION SECURITY

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#### CODIFICATION

This chapter was originally added by Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1302, which act enacted this title, and was based on act Dec. 24, 1942, ch. 811, 56 Stat. 1078, known as the Federal Reports Act of 1942, which was classified to sections 139 to 139f of former Title 5, transferred to chapter 12 (§ 421 et seq.) of former Title 44, and repealed by Pub. L. 90-620 upon the enactment of this title. Subsequent to its original enactment by Pub. L. 90-620, this chapter was amended generally by Pub. L. 96-511 and again by Pub. L. 104-13. As a result, this chapter is shown herein as having been added beginning with Pub. L. 104-13 without reference to earlier amendatory laws. See Prior Provisions notes throughout this chapter.

#### AMENDMENTS

2014—Pub. L. 113-283, § 2(e)(1), Dec. 18, 2014, 128 Stat. 3086, added heading for subchapter II and items 3551 to

3558 and struck out heading for former subchapter II and items 3531 to 3538 and heading for subchapter III and items 3541 to 3549. Prior to amendment, headings for both subchapters II and III read “INFORMATION SECURITY” and items under each subchapter were substantially similar to items 3551 to 3558.

2002—Pub. L. 107-347, title III, § 301(b)(2), Dec. 17, 2002, 116 Stat. 2955, added heading for subchapter III and items 3541 to 3549.

Pub. L. 107-296, title X, § 1001(b)(2), Nov. 25, 2002, 116 Stat. 2267, reenacted items 3531 to 3535 without change, substituted “National security systems” for “Expiration” in item 3536, and added items 3537 and 3538.

Pub. L. 107-198, § 3(b), June 28, 2002, 116 Stat. 732, added item 3520 and renumbered former item 3520 as 3521.

2000—Pub. L. 106-398, § 1 [[div. A], title X, § 1064(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-275, inserted subchapters I and II headings and added items 3531 to 3536.

1995—Pub. L. 104-13, § 2, May 22, 1995, 109 Stat. 163, amended chapter heading and analysis generally.

1980—Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2812, substituted in chapter heading “INFORMATION POLICY” for “REPORTING SERVICES”, and amended analysis generally.

### SUBCHAPTER I—FEDERAL INFORMATION POLICY

#### AMENDMENTS

2000—Pub. L. 106-398, § 1 [[div. A], title X, § 1064(a)(2)], Oct. 30, 2000, 114 Stat. 1654, 1654A-275, inserted subchapter heading.

## § 3501. Purposes

The purposes of this subchapter are to—

(1) minimize the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;

(2) ensure the greatest possible public benefit from and maximize the utility of information created, collected, maintained, used, shared and disseminated by or for the Federal Government;

(3) coordinate, integrate, and to the extent practicable and appropriate, make uniform Federal information resources management policies and practices as a means to improve the productivity, efficiency, and effectiveness of Government programs, including the reduction of information collection burdens on the public and the improvement of service delivery to the public;

(4) improve the quality and use of Federal information to strengthen decisionmaking, accountability, and openness in Government and society;

(5) minimize the cost to the Federal Government of the creation, collection, maintenance, use, dissemination, and disposition of information;

(6) strengthen the partnership between the Federal Government and State, local, and tribal governments by minimizing the burden and maximizing the utility of information created, collected, maintained, used, disseminated, and retained by or for the Federal Government;

(7) provide for the dissemination of public information on a timely basis, on equitable terms, and in a manner that promotes the