The Archivist may receive duplicate originals or authenticated copies of agreements or commitments entered into under the Constitution and laws of the United States, between States of the Union, and take necessary actions for their preservation and servicing.


HISTORICAL AND REVISION NOTES


PRIOR PROVISIONS

A prior section 2113 was renumbered section 2117 of this title.

AMENDMENTS


EFFECTIVE DATE OF 1984 AMENDMENT


§2114. Preservation of motion-picture films, still pictures, and sound recordings

The Archivist may make and preserve motion-picture films, still pictures, and sound recordings pertaining to and illustrative of the historical development of the United States Government and its activities, and provide for preparing, editing, tilting, scoring, processing, duplicating, reproducing, exhibiting, and releasing for non-profit educational purposes, motion-picture films, still pictures, and sound recordings in his custody.


HISTORICAL AND REVISION NOTES


PRIOR PROVISIONS

A prior section 2114 was renumbered section 2118 of this title.

AMENDMENTS


EFFECTIVE DATE OF 1984 AMENDMENT


§2115. Reports; correction of violations

(a) In carrying out their respective duties and responsibilities under chapters 21, 25, 29, 31, and
33 of this title, the Archivist and the Administrator may each obtain reports from any Federal agency on such agency’s activities under such chapters.

(b) When either the Archivist or the Administrator finds that a provision of any such chapter has been or is being violated, the Archivist or the Administrator shall (1) inform in writing the head of the agency concerned of the violation and make recommendations for its correction; and (2) unless satisfactory corrective measures are inaugurated within a reasonable time, submit a written report of the matter to the President and the Congress.


HISTORICAL AND REVISION NOTES


AMENDMENTS


Subsec. (c). Pub. L. 98–98, §201, substituted provisions transferring functions from Administrator of General Services to Archivist of the United States, further substituted provisions relating to permissible fee charges for former provisions which set a fee not in excess of 10 percent above costs and expenses for making copies, inserted “unless appropriations available to the Archivist for this purpose are insufficient to cover the cost of performing the work”, and struck out provision that reimbursement may be accepted to cover cost of furnishing copies or reproductions that could not otherwise be furnished.


EFFECTIVE DATE OF 1984 AMENDMENT


§ 2116. Legal status of reproductions; official seal; fees for copies and reproductions

(a) When records that are required by statute to be retained indefinitely have been reproduced by photographic, microphotographic, or other processes, in accordance with standards established by the Archivist the indefinite retention by the photographic, microphotographic, or other reproductions constitutes compliance with the statutory requirement for the indefinite retention of the original records. The reproductions, as well as reproductions made under regulations to carry out chapter 21, 29, 31, and 33 of this title, shall have the same legal status as the originals.

(b) There shall be an official seal for the National Archives of the United States which shall be judicially noticed. When a copy or reproduction, furnished under this section, is authenticated by the official seal and certified by the Archivist, the copy or reproduction shall be admitted in evidence equally with the original from which it was made.

(c) The Archivist may charge a fee set to recover the costs for making or authenticating copies or reproductions of materials transferred to his custody. Such fee shall be fixed by the Archivist at a level which will recover, so far as practicable, all elements of such costs, and may, in the Archivist’s discretion, include increments for the estimated replacement cost of equipment. Such fees shall be paid into, administered, and expended as a part of the National Archives Trust Fund. The Archivist may not charge for making or authenticating copies or reproductions of materials for official use by the United States Government unless appropriations available to the Archivist for this purpose are insufficient to cover the cost of performing the work.


HISTORICAL AND REVISION NOTES


AMENDMENTS


Subsec. (c). Pub. L. 98–98, §201, substituted provisions transferring functions from Administrator of General Services to Archivist of the United States, further substituted provisions relating to permissible fee charges for former provisions which set a fee not in excess of 10 percent above costs and expenses for making copies, inserted “unless appropriations available to the Archivist for this purpose are insufficient to cover the cost of performing the work”, and struck out provision that reimbursement may be accepted to cover cost of furnishing copies or reproductions that could not otherwise be furnished.


EFFECTIVE DATE OF 1984 AMENDMENT


§ 2117. Limitation on liability

When letters and other intellectual productions (exclusive of patented material, published works under copyright protection, and unpublished works for which copyright registration has been made) come into the custody or possession of the Archivist, the United States or its agents are not liable for infringement of copyright or analogous rights arising out of use of the materials for display, inspection, research, reproduction, or other purposes.


HISTORICAL AND REVISION NOTES


AMENDMENTS


1976—Pub. L. 94–553 substituted “productions (exclusive of patented material, published works under copyright protection, and unpublished works for which copyright registration has been made) come into the custody or possession of the Administrator of General Services, the United States or its agents are not liable for infringement of copyright or analogous rights” for