

Public Law 95-416
95th Congress

An Act

To amend chapter 21 of title 44, United States Code, to include new provisions relating to the acceptance and use of records transferred to the custody of the Administrator of General Services.

Oct. 5, 1978

[S. 1265]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 21 of title 44, United States Code, is amended as follows:

(a) In section 2103 delete the words "fifty years" in subsection (2) and substitute in lieu thereof the words "thirty years".

(b) Section 2104 of title 44, United States Code, is amended—

(1) by inserting "(a)" immediately before "The Administrator";

(2) by striking out the third and fourth sentences therein and inserting in lieu thereof the following "Except as provided in subsection (b) of this section, when the head of a Federal agency states, in writing, restrictions that appear to him to be necessary or desirable in the public interest with respect to the use or examination of records being considered for transfer from his custody to the Administrator of General Services, the Administrator shall, if he concurs, and in consultation with the Archivist of the United States, impose such restrictions on the records so transferred, and may not relax or remove such restrictions without the written concurrence of the head of the agency from which the material was transferred, or of his successor in function, if any. In the event that a Federal agency is terminated and there is no successor in function, the Administrator is authorized to relax, remove, or impose restrictions on such agency's records when he determines that such action is in the public interest. Statutory and other restrictions referred to in this subsection shall remain in force until the records have been in existence for thirty years unless the Administrator of General Services by order, having consulted with the Archivist and the head of the transferring Federal agency or his successor in function, determines, with respect to specific bodies of records, that for reasons consistent with standards established in relevant statutory law, such restrictions shall remain in force for a longer period."; and

(3) by adding at the end thereof the following new subsection:
 "(b) With regard to the census and survey records of the Bureau of the Census containing data identifying individuals enumerated in population censuses, any release pursuant to this section of such identifying information contained in such records shall be made by the

GSA.

Transferred records, relating to acceptance and use.

Census Bureau, release of information from records; agreement with GSA.

Publication in
Federal Register.

Administrator of General Services pursuant to the specifications and agreements set forth in the exchange of correspondence on or about the date of October 10, 1952, between the Director of the Bureau of the Census and the Archivist of the United States, together with all amendments thereto, now or hereafter entered into between the Director of the Bureau of the Census and the Archivist of the United States. Such amendments, if any, shall be published in the Register.”.

Approved October 5, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-1522 (Comm. on Government Operations).

SENATE REPORT No. 95-710 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 124 (1978):

Apr. 3, considered and passed Senate.

Sept. 25, considered and passed House.