

NATIONAL ARCHIVES COUNCIL

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The National Archives Council

Washington, D. C. 20540

OFFICE OF THE SECRETARY
THE NATIONAL ARCHIVES BUILDING

November 23, 1944

To the Heads of all Agencies of the United States Government:

There is inclosed for your information and for that of officials of your agency concerned a copy of a resolution adopted by the National Archives Council on November 9, 1944, in lieu of the resolution adopted by the Council on July 28, 1942, defining classes of material to be transferred to the National Archives and establishing regulations governing such transfer.

The inclosed resolution was adopted pursuant to the provisions of sections 3 and 6 of the National Archives Act, approved June 19, 1943 (48 Stat. 1122-1124), and is binding on all agencies of the United States Government, effective November 9, 1944.

Additional copies may be obtained in reasonable quantities by telephoning this office, National Archives Building, District 0525, extension 442.

Sincerely yours,

Thad Page
Thad Page
Secretary

Inclosure

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RESOLUTION ADOPTED BY THE NATIONAL ARCHIVES COUNCIL ON NOVEMBER 9, 1944

The following resolution was adopted by the National Archives Council on November 9, 1944, in lieu of the resolution adopted on July 28, 1942, defining classes of material to be transferred to the National Archives and establishing regulations governing such transfer:

Whereas section 3 of the "Act to establish a National Archives of the United States Government and for other purposes" (48 Stat. 1122) provides that "All archives or records belonging to the Government of the United States (legislative, executive, judicial, and other) shall be under the charge and superintendence of the Archivist to this extent: He shall have full power to inspect personally or by deputy the records of any agency of the United States Government whatsoever and wheresoever located, and shall have the full cooperation of any and all persons in charge of such records in such inspections, and to requisition for transfer to the National Archives Establishment such archives, or records as the National Archives Council, hereafter provided shall approve for such transfer";

And whereas section 6 of said act creates the National Archives Council and authorizes it to "define the classes of material which shall be transferred to the National Archives Building and establish regulations governing such transfer"; therefore be it

Resolved, That the Archivist of the United States be and he is hereby authorized to requisition for transfer to the National Archives any archives or records in the custody of any agency of the United States Government (legislative, executive, judicial, and other), which fall within any of the following classes, viz:

I. Any archives or records that the head of the agency that has the custody of them may offer for transfer to the National Archives.

II. Any archives or records that have been in existence for more than fifty years unless the head of the agency that has the custody of them certifies in writing to the Archivist that they must be retained in his custody for use in the conduct of the regular current business of the said agency.

III. Any archives or records of any Federal agency that has gone out of existence unless the head of the agency that has the custody of them certifies in writing to the Archivist that they must be retained in his custody for use in performing transferred functions of the discontinued agency or in liquidating its affairs.

IV. Any other archives or records that the National Archives Council by special resolution may authorize to be transferred to the National Archives.

Resolved further, (1) That when the Archivist shall issue his requisition for any archives or records he shall furnish to a duly authorized representative of the agency that has the custody of them an inventory of the material covered by such requisition; (2) That when, and not until, this inventory shall have been certified to by the signatures of the representatives of said agency and of the Archivist, respectively, and the said archives or records shall have been delivered by the representative of the said agency to the representative of the Archivist either at the depository in which they are stored or at a depository under the control of the Archivist, the said archives or records shall pass into the legal custody of the Archivist of the United States; Provided, That records of the Federal Government that are not in the legal custody of any other agency of the Government shall be deemed to be in the legal custody of the Archivist and may be transferred by him to a depository under his control without the formalities of issuing a requisition or delivering an inventory.

100296