

**PART 1. OFFICE OF THE ARCHIVIST OF THE UNITED STATES****ORGANIZATION****1. The Archivist of the United States**

The Archivist plans, develops, and administers all programs and functions of the National Archives and Records Administration (NARA), in accordance with the National Archives and Records Administration Act of 1984 (44 U.S.C.), as amended, and other applicable statutes, Executive orders, and departmental regulations. The Archivist supervises office heads and staff directors and provides general supervision to the Office of the Inspector General (OIG); the Executive Director, National Historical Publications and Records Commission (NHPRC); the Director, Information Security Oversight Office (ISOO); and the Director, Office of Government Information Services (OGIS). The Archivist serves as chair/member of such bodies as required by statute or as the Archivist determines to be in the best interests of NARA.

**a. External Affairs Liaison**

Plans and executes with the Archivist, Deputy Archivist, and Senior Staff a continuous program of liaison and partnering with allied national professional, scientific, and technical organizations, including:

- (1) Assures that NARA mission, goals, services, and policies are clearly communicated with professional audiences and that all partnering opportunities are appropriately explored and executed.
- (2) Develops an annual plan for contact, coordination, communication, and partnering with key professional, scientific, and technical allied national organizations.
- (3) Establishes working relationships with senior leadership of allied national organizations and maintains regular contact to carry out the goals of the annual liaison plan.
- (4) Conveys the positions, opinions, trends, and direction of the professional allied national organizations to the Archivist, Deputy Archivist, and Senior Staff through both informal and formal means.
- (5) In coordination with NPOL, seeks innovative methods and opportunities to bring external input to NARA's strategic planning, customer relations, and annual regulatory agenda.
- (6) Coordinates policy discussions with external stakeholders, professional associations, and special interest groups and advises the Archivist, Deputy Archivist, and Senior Staff on policy formation based on those discussions.

2. **Deputy Archivist of the United States**

- a. Acts as the Archivist if the position of Archivist becomes vacant until an Archivist is appointed as provided for in 44 U.S.C. 2103(a), or when the Archivist is unable to perform his or her duties because of absence or disability.
- b. In support of the Archivist, carries out the following activities:
  - (1) Establishes priorities, direction, required resources, staffing and schedule to accomplish the strategic vision and goals of the Archivist of the United States.
  - (2) Ensures that proposed new initiatives support the agency's strategic goals and are fully analyzed to determine the agency's ability to accomplish projects without moving staff and funding support from higher priority efforts.
- c. Directs the staffs in the Office of the Archivist.
- d. Serves as NARA's Regulatory Policy Officer.
- e. Renders final agency decision on equal employment opportunity discrimination complaints.
- f. Serves as the appeal official for determinations made in response to Freedom of Information Act (FOIA) requests for records in the National Archives of the United States and NARA administrative/operational records (except for OIG records), and determinations made in response to mandatory review requests for records in the National Archives of the United States or in Presidential libraries.
- g. Serves as the NARA Audit Follow-up Official and Audit Resolution Officer.
- h. Serves as the NARA Performance Improvement Officer.

3. **Chief of Staff**

- a. In support of the Archivist and Deputy Archivist, carries out the following activities:
  - (1) Establishes priorities, direction, required resources, staffing, and schedule to accomplish the strategic vision and goals of the Archivist of the United States.
  - (2) Ensures that proposed new initiatives support the agency's strategic goals and are fully analyzed to determine the agency's ability to accomplish

projects without moving staff and funding support from higher priority efforts.

- b. Directs the secretariat functions in the Office of the Archivist, assigning projects, coordinating requests for meetings for and with the Archivist, coordinating the staffing for meetings and proposed travel by the Archivist, and ensuring appropriate records management practices are carried out.
- c. Assists the Deputy Archivist in directing the staffs in the Office of the Archivist.

4. **Policy and Planning Staff**

a. **Policy and Planning**

Provides staff support to the Archivist and the Deputy Archivist and other senior management officials, as required, in the following areas:

- (1) Coordinates the development, implementation, and review of NARA's Strategic Plan and NARA's implementation of the Government Performance and Results (GPRA) Act of 1993.
- (2) Participates with the Office of Administration's Financial Services Division (NAB) in developing budget statements and justifications. Coordinates drafts of all budget statements and justifications with program offices, when appropriate, and with NAB for approval by the Archivist and submission to OMB and the Congress.
- (3) Formulates, analyzes, and reviews NARA policies and procedures, including internal directives, NARA regulations, and external policies and communications with agencies; implements the Regulatory Negotiation Act; and serves as NARA's regulatory docket office.
- (4) Prepares draft documents for the Archivist's approval to establish and terminate NARA committees, and tracks their existence as the recordkeeping body for their records. As NARA's Committee Management Officer, ensures NARA compliance with the Federal Advisory Committee Act (Pub. L. 92-463); and implements the Government in the Sunshine Act.
- (5) Coordinates NARA international representational activities and maintains liaison with allied international organizations.
- (6) Coordinates NARA's implementation of OMB Circular A-123, the NARA internal management control review system, and the Federal Managers' Financial Integrity Act.

- (7) Coordinates audit resolution, and reviews and monitors progress on corrective action plans. Serves as point of contact for GAO and other auditing entities to provide coordinated NARA response.
- (8) Develops or reviews NARA organization, staffing, and delegations of authority proposals and coordinates clearance of comments.
- (9) Provides oversight, guidance, and technical assistance to all offices in implementing NARA's customer service program, in compliance with GPRA and Executive Order 12862. Guides agency customer survey process, coordinates the approval of information collections with the Information Technology Policy and Administration Division (NHP), and the Office of Management and Budget (OMB), as appropriate; monitors the operations of customer service teams; and monitors progress on NARA's customer service goals.
- (10) Manages the NARA reports control program and develops or reviews special reports to other U.S. Government entities.
- (11) Serves as the NARA Senior Standards Officer. Plans, directs, coordinates, and administers NARA standards programs and processes. Coordinates and reports NARA standards activity with standards-setting organizations.
- (12) Coordinates NARA-wide analyses of NARA processes, programs, and activities.
- (13) Serves as NARA's Competition Sourcing Official. Coordinates NARA implementation of the Federal Activities Inventory Reform Act (FAIR) and provides assistance to NARA units conducting cost comparison studies.
- (14) Coordinates tours and visits of international professionals in archives management and related fields.
- (15) Coordinates the approval, management, and reporting of cooperative agreements entered into by NARA.

**b. Digital Strategy and Services**

- (1) Represents the Deputy Archivist in the following areas:
  - (a) Establishes, monitors, and maintains policies relating to records lifecycle processes and data. Coordinates and reviews records lifecycle process flows, work flows, data models, and business rules.

- (b) Monitors and coordinates with NARA-wide projects and programs, such as the Electronic Records Archives (ERA) and the Enterprise Architecture, to ensure appropriate implementation of records lifecycle policy and to identify new policy, process, and data needs.
- (2) Provides support to the Deputy Archivist in the following areas:
- (a) Plans, directs, and administers NARA's lifecycle programs, projects, and services. Monitors and analyzes proposed and existing records lifecycle projects to identify dependencies and issues.
  - (b) Develops, maintains, and advocates lifecycle data architecture and data content and value standards, and provides appropriate guidance and training.
  - (c) Develops and maintains NARA's shared lifecycle and authority files.
  - (d) Plans, directs, administers, and coordinates NARA's Internet presence for NARA's World Wide Web sites, including social media technologies. (Exception is file management of Presidential library web sites supported by Office of Presidential Library (NL) staff. Provides guidance to NL staff regarding compliance with Federal web mandates.)
  - (e) Plans, directs, administers, and coordinates NARA's internal web sites.
  - (f) Coordinates with the Office of Information Services on the technical operations of NARA's Internet and intranet web sites.
  - (g) Formulates and implements NARA's online public access strategic directions and policies, including NARA's approach to providing digital access to electronic and digitized holdings. Coordinates with program offices to ensure an agency approach to digital access meets customer needs and is effectively deployed.

## **5. Congressional Affairs Staff**

With the exception of matters concerning the official records of Congress, plans, directs, and coordinates the legislative and congressional relations activities of NARA including:

- a. Coordinates relations and interactions between NARA officials and Members of Congress and their personal and committee staffs.

- b. Coordinates the presentation of the NARA legislative program to Congress.
- c. Coordinates reports on bills of interest to NARA and screens bills for NARA program offices.
- d. Participates with other Federal agencies on reports submitted to congressional committees.
- e. Coordinates the preparation of NARA recommendations regarding Presidential approval of bills.
- f. Arranges for witnesses, coordinates preparation of testimony, and consults with committee staff members before congressional hearings to ensure compliance with committee requests.

**6. Public Affairs and Communications Staff**

Plans, directs, and coordinates a comprehensive communications program for NARA including:

- a. Coordinates NARA contacts with the media.
- b. Prepares press releases and other information to be disseminated to the media.
- c. Coordinates media appearances by NARA staff.
- d. Develops national media campaigns regarding exhibitions, public programs, and policy initiatives.
- e. Arranges press conferences and major record openings for the media.
- f. Produces or reviews oral and written communications from the Archivist or for the Office of the Archivist to NARA and external audiences. This does not include policy directives and external regulations coordinated by NPOL.
- g. Produces NARA's periodical publications, including *Prologue*, the monthly Calendar of Events, and the NARA Staff Bulletin.

**7. General Counsel**

- a. Provides legal counsel and advice to, and serves as attorney for, NARA and all NARA officials in all NARA legal and related matters. Provides written legal opinions as appropriate and prepares legal documents, including for filing in judicial proceedings.
- b. Represents NARA in proceedings before administrative tribunals such as the Equal Employment Opportunity Commission, the Merit Systems Protection Board, the

General Accounting Office (GAO), and the General Services Board of Contract Appeals. The staff either represents NARA or coordinates with the Department of Justice to represent NARA in other litigation.

c. Administers NARA's ethics program, including ethics training and education programs, and serves as liaison with the Office of Government Ethics (OGE). In administering the ethics program, grants waivers of disqualification to employees (other than the Archivist), makes conflict-of-interest determinations on official travel paid for by non-Federal sources, and makes other determinations required by the Standards of Ethical Conduct for Employees of the Executive Branch. The Senior Counsel for Trust Fund/Foundation Policy serves as the Designated Agency Ethics Official.

d. Processes, decides, and settles administrative claims against NARA under the Federal Tort Claims Act, and claims filed by NARA employees for on-the-job loss or damage to their personal property.

e. Processes garnishment orders entered by Federal and state courts and tribunals against NARA employees.

f. Serves as NARA's Alternate Advocate for Competition.

g. Serves as NARA's Chief FOIA Officer and the Senior Agency Official for Privacy.

h. Coordinates with the OIG on legal issues related to NARA.

i. Reviews and concurs on certain procurement actions, including all justifications and awards (J&As) for procurements exceeding \$100,000; all sealed bid solicitations exceeding \$100,000; and all solicitations for negotiated procurements exceeding \$100,000. Reviews all other contract awards (including contract option exercises) or modifications exceeding \$100,000, or changes exceeding 20 percent of the total contract value, with the exception of the following:

- (1) Funding actions without other changes;
- (2) Competitive supply item orders placed against indefinite delivery contracts when price is the other factor;
- (3) Blanket purchase agreements; and
- (4) Unilateral exercise of pre-priced options (including options that required adjustments for Wage Determinations and Collective Bargaining Agreements) that were reviewed and approved at the time of award of the basic contract.

j. The General Counsel access staff:

- (1) Formulates and recommends policy and provides advice to NARA staff on access matters arising under the FOIA, the Privacy Act of 1974, the Executive order on national security information, the Presidential Records Act (PRA) and the Presidential Recordings and Materials Preservation Act, and other access laws (in coordination with the Office of Presidential Libraries on access matters involving Presidential records and materials).
  - (2) Provides NARA components with advice and guidance on proposed responses to requests for records and with sample/model language for response letters and monitors (for legal adequacy) NARA responses to requests.
  - (3) Responds to inquiries from other Federal agencies and the public concerning NARA access policies and procedures. Handles directly or coordinates responses to particularly difficult requests, especially those involving more than one component. Prepares responses to FOIA or Privacy Act requests of a general or broad nature that have been incorrectly directed or that need to be narrowed. Coordinates with the Presidential libraries on notification and special access procedures required under the PRA.
  - (4) On behalf of the Deputy Archivist, coordinates the staffing of administrative appeals of FOIA and Privacy Act denials from any of the NARA components. Tracks all NARA administrative/operational appeals and ensures timely responses.
  - (5) Provides training to NARA staff on legal and archival issues related to access matters. In coordination with NARA's records management and professional training programs, participates in external training programs aimed at access and recordkeeping issues.
  - (6) Formulates reviews and, as appropriate, recommends revisions to, NARA regulations governing access to records under NARA's jurisdiction.
  - (7) Responds to initial FOIA and Privacy Act requests for NARA administrative/operational records, except for OIG records.
  - (8) Oversees non-routine requests for special access to Presidential records under the PRA (in consultation with NL), such as court orders, subpoenas, and congressional investigations.
- k. Serves as Dispute Resolution Specialist and administers RESOLVE, NARA's alternative dispute resolution program.

## 8. **Equal Employment Opportunity and Diversity Programs**



- a. Provides counseling for complainants and receives and processes all discrimination complaints except those containing allegations against the Director of Equal Employment Opportunity and Diversity Programs.
- b. Reviews and accepts investigative reports; analyzes findings against applicable law, Executive orders, and departmental regulations; and submits analysis, conclusions, and recommendations to the Deputy Archivist for review and issuance of the final NARA decision.
- c. Provides effective leadership in implementing special emphasis programs including the Federal Women's Program, Hispanic Employment Program, People with Disabilities, and Selective Placement programs. Appoints NARA's special emphasis program managers
- d. Prepares the NARA Affirmative Employment Program Plan for Minorities and Women, and the Affirmative Action Program Plan for Individuals with Disabilities and forwards the plans to the Archivist for transmittal to the Equal Employment Opportunity Commission.
- e. Recommends changes to programs and procedures to eliminate practices that act as barriers to the hiring and advancement of women, minorities, and persons with disabilities.
- f. Confers with the Office of Administration concerning the status of physical and program accessibility to individuals with disabilities.
- g. Develops programs for the observance of special events designed to promote a better understanding of Equal Employment Opportunity (EEO) issues.
- h. Evaluates the sufficiency of NARA's total EEO program and reports to the Archivist with recommendations for improvements or corrective actions.
- i. Develops and implements an EEO and affirmative action education, training, and information dissemination program.

**9. Office of the Inspector General**

- a. Carries out such audits, investigations, inspections, management assistance, and reports relating to the administration of NARA's programs and operations as are, in the judgment of the Inspector General, necessary or desirable, or required by law, including the following:
  - (1) Informs the Archivist regarding the extent to which NARA has complied with the requirements of the Federal Managers Financial Integrity Act, OMB Circulars A-123 and A-127, and related NARA policies.

- (2) Conducts and reports on audits, and works with the NARA Audit Follow-up Official, under provisions of OMB Circular A-50 and NARA 1201, Audits of NARA Programs and Operations, in resolving and monitoring the implementation of audit recommendations to ensure corrective actions are taken.
  - (3) Investigates complaints or information from employees and others concerning possible violations of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or substantial and specific dangers to the public health and safety.
  - (4) Provides consultative management assistance to NARA managers in improving the economy, efficiency, and effectiveness of their programs and administrative activities. Conducts crime prevention surveys to identify and address crime conducive conditions.
  - (5) Immediately reports to the Archivist particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of NARA's programs and operations, and expeditiously reports to the Attorney General suspected violations of Federal criminal law.
  - (6) Semiannually prepares reports summarizing the activities of the OIG for transmittal to the Archivist and the appropriate committees or subcommittees of the Congress.
  - (7) Recommends policies for, and conducts, supervises or coordinates other activities and relationships between NARA and other Government and non-Government entities to promote the economy, efficiency and effectiveness of NARA activities, to prevent and detect fraud and abuse, and to identify and prosecute participants in such fraud and abuse. These entities include the GAO and Federal, State, and local law enforcement agencies.
  - (8) Manages the OIG hotline.
  - (9) Responds to FOIA and Privacy Act requests for OIG records.
- b. The Inspector General selects, appoints, and employs such officers and employees as are necessary to carry out the functions, powers, and duties of the OIG, as provided by the Inspector General Act of 1978, as amended, including the Assistant Inspector General for Audits, the Assistant Inspector General for Investigations, and the Counsel to the Inspector General.
- c. The Inspector General carries out the duties and responsibilities of the OIG. Under provisions of the Inspector General Act of 1978, as amended, the Inspector

General:

- (1) Establishes guidelines for determining when it is appropriate for the OIG and NARA to use non-Federal auditors, contracts for the auditors, and monitors their performance to ensure compliance with generally accepted Government auditing standards.
- (2) Enters into contracts and other arrangements for audits, studies, and other services with public and private individuals and organizations, and makes such payments as are necessary to carry out the provisions of the Act.

10. **Executive Director, National Historical Publications and Records Commission**

Under 44 U.S.C. 2503, provides staff assistance to the National Historical Publications and Records Commission.

11. **Information Security Oversight Office**

a. Director

- (1) Administers the program for classifying, safeguarding, and declassifying national security information in both Government and industry.
- (2) Serves as the Designated Agency Official and Chairman of the National Industrial Security Program Policy Advisory Committee (NISPPAC).
- (3) Serves as the Executive Secretary of the Interagency Security Classification Appeals Panel (ISCAP).
- (4) Serves as the Executive Secretary of the Public Interest Declassification Board (PIDB).
- (5) Pursuant to a Presidential Memorandum regarding the designation and sharing of Controlled Unclassified Information (CUI), dated May 9, 2008, acts as the Executive Agent responsible for administering the program for overseeing and managing the implementation of the CUI Framework as established by the President.
- (6) Pursuant to the May 9, 2008, Presidential Memorandum, serves as the Chair of the CUI Council, a subcommittee of the Information Sharing Council created by the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458).

b. **Classification Management Staff.** Provides support to the Director in the following areas:

- (1) Develops and issues implementing directives and instructions related to E.O. 12958, as amended.
  - (2) Considers requests for original classification authority.
  - (3) Considers requests for portion marking waivers.
  - (4) Plans and develops annual and special reports to the President.
  - (5) Supports advisory committees, boards, or panels established by Executive order or statute, including the ISCAP and the PIDB.
  - (6) Addresses classification and declassification issues under E.O. 12958, as amended, in each of the following areas:
    - (a) Complaints and suggestions;
    - (b) Standard forms and procedures;
    - (c) Interpretations of policy for internal and external audiences;
    - (d) Development of and recommendations for policy changes to the President through the Assistant to the President for National Security Affairs;
    - (e) Interagency working groups;
    - (f) ISOO publications and security education materials; and,
    - (g) Special studies and reviews to support policy development or change.
- c. **Operations Staff.** Provides support to the Director in the following areas:
- (1) Develops and implements a liaison system for Executive branch agencies.
  - (2) Plans and implements on-site reviews of agency programs established under E.O. 12958, as amended.
  - (3) Plans, develops, and implements the oversight of the National Industrial Security Program (NISP) under E.O. 12829, as amended, for the Executive branch and monitors industry's implementation of the NISP.
  - (4) Develops and issues implementing directives and instructions related to E.O. 12829, as amended.

- (5) Supports advisory committees, boards, or panels established by Executive order or statute, including the NISPPAC.
- (6) Addresses safeguarding (handling, storage, distribution, transmittal, and destruction of and accountability for classified information) issues under E.O. 12958, as amended, in each of the following areas:
  - (a) Complaints and suggestions;
  - (b) Standard forms and procedures;
  - (c) Interpretations of policy for internal and external audiences;
  - (d) Development of and recommendations for policy changes to the President through the Assistant to the President for National Security Affairs;
  - (e) Interagency working groups;
  - (f) ISOO publications and security education materials; and,
  - (g) Special studies and reviews to support policy development or change.

d. **Controlled Unclassified Information (CUI) Office.** Pursuant to a Presidential Memorandum, dated May 9, 2008, as the Executive Agent, provides support to the Director in the following areas:

- (1) Develops and issues CUI policy standards and implementation guidance.
- (2) Establishes, approves, maintains, and publishes safeguarding standards and dissemination instructions.
- (3) Establishes baseline training requirements and develops a CUI training program to be implemented by departments and agencies.
- (4) Monitors department and agency compliance with CUI policy, standards, and markings.
- (5) Establishes a process to address enforcement mechanisms and penalties for improper handling of CUI.
- (6) Provides recommendations to State, local, tribal, private sector, and foreign partner entities for implementing the CUI Framework.
- (7) Establishes, chairs, and provides staff support to the CUI Council.

## 12. **Office of Government Information Services (OGIS)**

Established under the OPEN Government Act of 2007, codified at 5 U.S.C. 552(h), reviews Freedom of Information Act (FOIA) activities government-wide and helps to resolve disputes between requesters and agencies.

- a. Establishes mediation services to resolve disputes between persons making FOIA requests and administrative agencies, and may issue advisory opinions if mediation has not resolved the dispute.
- b. Reviews and provides input on policies and procedures of administrative agencies under the Freedom of Information Act (FOIA), reviews whether the agencies are in compliance with the FOIA, and recommends policy changes to Congress and the President to improve administration of the FOIA.
- c. Develops, implements, and manages OGIS programs that will contribute to the effective administration of the FOIA.
- d. Issues regulations and internal guidance and/or directives to carry out the requirements of the OGIS.
- e. Assesses the impact of legislation, regulations, and management decisions on OGIS programs and make adjustments in operations, policies, and procedures to carry out these external mandates.

## **DELEGATION OF AUTHORITIES**

### **Authorities Retained by the Archivist**

## 13. **General Administration**

- a. Promulgate such regulations as are necessary to effectuate the functions of NARA (44 U.S.C. 2104(a)).
- b. Organize NARA as is necessary and appropriate at and above the division level (44 U.S.C. 2104(c)).
- c. Establish, alter, or discontinue regional, local, or field units (44 U.S.C. 2104(d)).
- d. Establish and abolish advisory committees that provide advice with respect to any function of NARA (44 U.S.C. 2104(f)).
- e. Obtain the services of experts and consultants (44 U.S.C. 2105(b); 2706(b)).
- f. Issue all reports about NARA activities (44 U.S.C. 2106; 2504(a); 2904(c)(8)).

3303a(f)).

- g. Establish fees for making reproductions of materials transferred to NARA (44 U.S.C. 2116(c)).
- h. Establish such interagency committees and boards as may be necessary to provide an exchange of information among Federal agencies with respect to records management (44 U.S.C. 2904(c)(4)).
- i. Authorize other than full and open competition if the contract value is over \$10,000,000 (48 CFR 6.304).
- j. Designate a certifying official to disburse all NARA funds through the Department of the Treasury (I TFM 4-1135).

14. **Records Management**

- a. Approve records schedules, except those changing retention periods of records previously approved for disposal, authorizing the disposal of Federal agency records that after the lapse of the time period specified will not have sufficient administrative, legal, research, or other value to warrant continued preservation by the U.S. Government (44 U.S.C. 2107(1); 3303a(a), (e)).
- b. Accept for deposit with the National Archives of the United States the records of Congress, the Architect of the Capitol and the Supreme Court determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the U.S. Government (44 U.S.C. 2107(1); 2118).
- c. Direct and effect the transfer to the National Archives of the United States of records of a Federal agency that have been in existence for more than thirty years and determined by the Archivist to have sufficient historical or other value to warrant their continued preservation by the U.S. Government (44 U.S.C. 2107(2)).
- d. Accept by deed of gift from private sources, papers, documents, and such historical materials as are described in 44 U.S.C. 2101(2) and 2111 that are appropriate for preservation by the U.S. Government (44 U.S.C. 2107(4); 2111).
- e. Inform the head of an agency that a provision of chapters 21, 25, 29, 31, or 33 of title 44 of the U.S. Code has been, or is being violated, and make recommendations for correction, and unless satisfactory corrective measures are inaugurated within a reasonable time, submit a written report of the matter to the President and Congress (44 U.S.C. 2115(b)).
- f. Determine that the Presidential records of a sitting President no longer have administrative, historical, informational, or evidentiary value, and may be disposed of (44 U.S.C. 2203(c)).

- g. Determine whether the Presidential records in NARA custody, have sufficient administrative, historical, informational, or evidentiary value to warrant continued preservation by the U.S. Government (44 U.S.C. 2203(c), (d), (f)(3)).
- h. When a sitting President proposes Presidential records for disposal, the Archivist (considering that the records may be of special interest to the Congress or that it is in the public interest) requests the advice and counsel from the Committee on Rules of the Senate and the Subcommittee on Rules and Organization of the House of Representatives (44 U.S.C. 2203(d), (e)).
- i. Notify agency heads of any actual, impending, or threatened unlawful removal, defacement, alteration, or destruction of records in the custody of their agency and assist the agency to initiate action through the Attorney General for the recovery of records. If the agency head fails to act, independently request the Attorney General to initiate such action (44 U.S.C. 2905; 3106).
- j. Withdraw disposal authorities for records listed in disposal schedules (44 U.S.C. 2909).
- k. Promulgate schedules authorizing the disposal, after specified periods of time, of records common to several or all agencies (44 U.S.C. 3303a(a), (d)).
- l. When Federal records are proposed for disposal, the Archivist (considering that the records may be of special interest to the Congress or that it is in the public interest), may request the advice and counsel from the Committee on Rules of the Senate and the Subcommittee on Rules and Organization of the House of Representatives (44 U.S.C. 3303a(c)).
- m. Approve the disposal of records in the legal custody of the Archivist, provided that records that had been in the custody of another existing agency may be not disposed of without the consent of the head of the agency (44 U.S.C. 3303a(e)).

15. **Facilities**

- a. Accept and take title, for and in the name of the United States, land, a facility, and equipment offered as a gift to the United States for the purpose of creating a Presidential archival depository (44 U.S.C. 2112(a)(1)(A)(i and ii)).
- b. Enter into an agreement with a State, political subdivision, university, institution of higher learning, institute, or foundation to use as a Presidential archival depository land, a facility, and equipment of the State, subdivision, university, or other organization to be made available by it without transfer of title to the United States (44 U.S.C. 2112(a)(1)(B)(i)).
- c. Accept for, and in the name of the United States, gifts offered for the purpose of



making any physical or material change or addition to a Presidential archival depository (44 U.S.C. 2112(a)(1)(C)).

d. Promulgate architectural and design standards applicable to Presidential archival depositories (44 U.S.C. 2112(a)(2)).

e. Submit the report required by 44 U.S.C. 2112(a)(3) before accepting and taking title to or entering into an agreement for a Presidential archival depository.

f. Submit the report required by 44 U.S.C. 2112(a)(4) before accepting and taking title to or entering into an agreement for a Presidential archival depository.

g. Determine that sufficient endowment is available to maintain the land, facility, and equipment of a proposed Presidential archival depository, or that sufficient endowment as defined in 44 U.S.C. 2112(g)(4)(A) and (B) is available to maintain the land, facility, and equipment, when a physical or material change or addition to a Presidential archival depository is proposed (44 U.S.C. 2112(g)(3) and (4)).

h. Enter into an agreement for the deposit of Vice-Presidential records in a non-Federal archival depository (44 U.S.C. 2207).

#### 16. **Other**

a. Certify that an amendment proposed to the Constitution of the United States has been adopted, and has become valid, to all intents and purposes, as a part of the Constitution of the United States, and cause the adopted amendment and his certification to be published (1 U.S.C. 106b).

b. Transmit to the two Houses of Congress copies in full of each and every certificate of ascertainment of electors that is received at NARA (3 U.S.C. 6).

c. When the conditions set forth in 3 U.S.C. 12 or 13 occur, the Archivist sends a special messenger to the district judge in whose custody one certificate of votes from that State has been lodged.

d. Upon recommendation of the NHPRC, makes grants to State and local agencies and to nonprofit organizations, institutions, and individuals, for the collecting, describing, preserving, compiling, and publishing (including microfilming and other forms of reproduction) of documentary sources significant to the history of the United States (44 U.S.C. 2504; Pub. L. 100-365).

### **DELEGATION OF AUTHORITIES**

#### **Authorities Delegated to Officials in the Office of the Archivist**

#### 17. **Deputy Archivist of the United States**

<b>Delegation</b>	<b>Limitations</b>
Render the final NARA decision on formal complaints of discrimination because of race, color, national origin, religion, sex, age, or physical or mental handicap	May not exercise this function when the Deputy Archivist is the alleged discriminating official
Serve as the appeal official for determinations made in response to Freedom of Information Act (FOIA) requests for records in the National Archives of the United States and NARA administrative/operational records (except OIG records) and determinations made in response to mandatory review requests for records in the National Archives of the United States or in Presidential libraries. (5 U.S.C. 552)	None
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

18. **Chief of Staff**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

19. **Executive Director, NHPRC**

<b>Delegation</b>	<b>Limitations</b>
a. Advance or defer the starting and ending dates of grant periods and authorize changes relating to budget items as set forth in grant applications, provided the total amount of the grant is not increased (44 U.S.C. 2504).	None
b. Accept gifts for NHPRC programs or activities (44 U.S.C. 2504(d))	Acceptance of a gift is subject to the requirements of the Trust Fund Procedures Manual (TRUST FUND 1801) ch.2, part 4, sec. 3; 44 U.S.C. 2504 (a) thru (d); and the Bylaws of the National Archives Trust Fund Board, Article V, sec. 4.a(1)
c. Have access (for the purposes of audit and examination) to the books, documents, papers, and records of the recipients that are pertinent to the grants received under section 44 U.S.C. 2504 (44 U.S.C. 2506(b))	None
d. Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

20. **General Counsel**

<b>Delegation</b>	<b>Limitations</b>
a. Consider, compromise, and settle Federal Tort Claims Act claims for damage, injury, or death; and claims of NARA employees for loss or damage to their personal property incident to their service (28 U.S.C. 2672; 28 CFR Part 14; 31 U.S.C. 3721 and 3723)	Any Federal Tort Claims Act claim award, compromise, or settlement of more than \$25,000 requires the prior written approval of the Attorney General or a designee
b. Empower officers and employees having investigative functions, while engaged in performing an investigation, to administer oaths (44 U.S.C. 2104(h))	Empowerment of an officer or employee is on a case-by-case basis. This authority does not extend to officers or employees of the OIG, who have an independent authority based on 5 U.S.C. Appendix, Pub. L. 95-452, as amended, sec. (6)(a)(5)).
c. Authenticate and attest copies of records created by NARA, furnish authenticated copies of these records, and charge fees therefore (44 U.S.C. 2116)	None
d. Furnish properly authenticated copies of records in response to <i>subpoenas duces tecum</i> or other legal demands in appropriate cases	None
e. Determine that a Presidential record or a reasonably segregable portion thereof, or any significant element or aspect of the information contained in such record or reasonably segregable portion thereof, has been placed in the public domain through publication by the former President, or his agents (44 U.S.C. 2204 (b)(1)(B))	None
f. Serve as Designated Agency Ethics Official (DAEO) (Senior Counsel for Trust Fund/Foundation Policy); administer NARA's ethics program, including ethics training, granting of waivers of disqualification, making conflict of interest determinations on NARA employee travel paid for by non-Federal sources, and making other determinations required by the Standards of Conduct (5 U.S.C. App.; 18 U.S.C. 208(b)(1); 31 U.S.C. 1353; 5 CFR Parts 2635-38; 41 CFR Part 304-1)	None
g. Serve as Dispute Resolution Specialist and administer RESOLVE, NARA's alternative dispute resolution program (5 U.S.C. 571 note)	None
h. Accept and utilize voluntary and uncompensated personal services for NARA (44.U.S.C. 2105 (d))	None

21. **Director, Policy and Planning Staff**

<b>Delegation</b>	<b>Limitations</b>
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a. Designate a certifying officer and alternate to certify the copies required to be filed in the Office of the Federal Register and notify the Director of the Federal Register of designations so made and changes thereto (44 U.S.C. 1503; 1 CFR 16.1)	None
b. Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

**22. Director, Congressional Affairs Staff**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

**23. Director, Public Affairs and Communications Staff**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

**24. Director, Equal Employment Opportunity and Diversity Programs**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

**25. Director, Information Security Oversight Office**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

**26. Inspector General**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None

**27. Director, Office of Government Information Services**

<b>Delegation</b>	<b>Limitations</b>
Accept and utilize voluntary and uncompensated personal services for NARA (44 U.S.C. 2105(d))	None