

Section 1338, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272, related to limitations and conditions concerning printing and lithographing by the Patent Office.

EFFECTIVE DATE OF REPEAL

Repeal effective 4 months after Nov. 29, 1999, see section 1000(a)(9) [title IV, § 4731] of Pub. L. 106-113, set out as an Effective Date of 1999 Amendment note under section 1 of Title 35, Patents.

§ 1339. Printing of the President's Message

The message of the President without the accompanying documents and reports shall be printed in pamphlet form, immediately upon its receipt by Congress. In addition to the usual number, fifteen thousand copies shall be printed, of which five thousand shall be for the Senate, and ten thousand for the House of Representatives.

In addition to the usual number of the President's message and accompanying documents, there shall be printed one thousand copies for the Senate and two thousand for the House of Representatives. The President's message shall be delivered by the printer to the appropriate officers of each House of Congress on or before the third Wednesday next after the meeting of Congress, or as soon after as may be practicable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 285 (R.S. § 3810; Jan. 12, 1895, ch. 23, § 73, 28 Stat. 615).

§ 1340. Director of the Government Publishing Office: annual report

In addition to the usual number of the annual report of the Director of the Government Publishing Office, one thousand copies shall be printed to be distributed under his direction.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272; Pub. L. 113-235, div. H, title I, § 1301(c), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 288 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 618).

AMENDMENTS

2014—Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer” in section catchline and text.

§ 1341. Smithsonian Institution: report

In addition to the usual number of the report of the Smithsonian Institution ten thousand copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, five thousand for distribution by the Smithsonian Institution, and two thousand for distribution by the National Museum.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 289 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616).

[§ 1342. Repealed. Pub. L. 104-127, title IV, § 384, Apr. 4, 1996, 110 Stat. 1016]

Section, Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1272, related to reports and congressional allotments for soil area surveys.

§ 1343. Statistical Abstract of the United States

In addition to the usual number of the Statistical Abstract of the United States, twelve thousand copies shall be printed: three thousand for the Senate, six thousand for the House of Representatives, and three thousand for distribution by the Secretary of Commerce.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1273.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 291 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; Aug. 23, 1912, ch. 350, § 1, 37 Stat. 407; 1950 Reorg. Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263).

§ 1344. Treasury Department: reports

In addition to the usual number of the finance report of the Secretary of the Treasury, one thousand copies for the Senate and two thousand for the House of Representatives shall be printed in addition to those published as part of the departmental report.

In addition to the usual number of the annual report of the Comptroller of the Currency, thirteen thousand copies shall be printed: one thousand for the Senate, two thousand for the House of Representatives, and ten thousand for distribution by the Comptroller of the Currency.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1273.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 295 (Jan. 12, 1895, ch. 23, § 73, 28 Stat. 616; Mar. 4, 1907, No. 25, 34 Stat. 1425).

CHAPTER 15—FEDERAL REGISTER AND CODE OF FEDERAL REGULATIONS

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AMENDMENTS

1977—Pub. L. 95-94, title IV, § 408(a)(2), Aug. 5, 1977, 91 Stat. 683, substituted “Costs of publication, etc.” for “Cost of publication; appropriations authorized; penalty mail privilege” in item 1509.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, set out as a note under section 2901 of this title.

§ 1501. Definitions

As used in this chapter, unless the context otherwise requires—

“document” means a Presidential proclamation or Executive order and an order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument, issued, prescribed, or promulgated by a Federal agency;

“Federal agency” or “agency” means the President of the United States, or an executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government;

“person” means an individual, partnership, association, or corporation; and

“National Archives of the United States” has the same meaning as in section 2901(11) of this title.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1273; Pub. L. 98-497, title I, §107(b)(2), Oct. 19, 1984, 98 Stat. 2286.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §304 (July 26, 1935, ch. 417, §4, 49 Stat. 501).

AMENDMENTS

1984—Pub. L. 98-497 inserted definition of “National Archives of the United States”.

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.

§ 1502. Custody and printing of Federal documents; appointment of Director

The Archivist of the United States, acting through the Office of the Federal Register, is charged with the custody and, together with the Director of the Government Publishing Office, with the prompt and uniform printing and distribution of the documents required or authorized to be published by section 1505 of this title. There shall be at the head of the Office a director, appointed by, and who shall act under the general direction of, the Archivist of the United States in carrying out this chapter and the regulations prescribed under it.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1273; Pub. L. 98-497, title I, §107(b)(3), Oct. 19, 1984, 98 Stat. 2287; Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §301 (July 26, 1935, ch. 417, §1, 49 Stat. 500; 1939 Reorg. Plan No. II, §202, eff. July 1, 1939, 4 F.R. 2732, 53 Stat. 1435; June 30, 1949, ch. 288, title I, §104(a), 63 Stat. 381).

AMENDMENTS

2014—Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer”.

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

§ 1503. Filing documents with Office; notation of time; public inspection; transmission for printing

The original and two duplicate originals or certified copies of a document required or authorized to be published by section 1505 of this title shall be filed with the Office of the Federal Register, which shall be open for that purpose during all hours of the working days when the National Archives Building is open for official business. The Archivist of the United States shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing. When the original is issued, prescribed, or promulgated outside the District of Columbia, and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon filing, at least one copy shall be immediately available for public inspection in the Office. The original shall be retained by the National Archives and Records Administration and shall be available for inspection under regulations prescribed by the Archivist, unless such original is disposed of in accordance with disposal schedules submitted by the Administrative Committee of the Federal Register and authorized by the Archivist pursuant to regulations issued under chapter 33 of this title; however, originals of proclamations of the President and Executive orders shall be permanently retained by the Administration as part of the National Archives of the United States. The Office shall transmit immediately to the Government Publishing Office for printing, as provided by this chapter, one duplicate original or certified copy of each document required or authorized to be published by section 1505 of this title. Every Federal agency shall cause to be transmitted for filing the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1274; Pub. L. 95-440, §2, Oct. 10, 1978, 92 Stat. 1063; Pub. L. 98-497, title I, §107(b)(4), Oct. 19, 1984, 98 Stat. 2287; Pub. L. 113-235, div. H, title I, §1301(b), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §302 (July 26, 1935, ch. 417, §2, 49 Stat. 500; June 30, 1949, ch. 288, title I, §104(a), 63 Stat. 381).

AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist of the United States” for “Administrator of General Services”, “National Archives and Records Administration” for “General Services Administration”, and “Archivist” for “Administrator” wherever appearing.

1978—Pub. L. 95-440 substituted provision for retention of original documents by the General Services Administration for prior provision for retention in the archives of the National Archives and inserted provisions dispensing with such retention when disposals are made in accordance with disposal schedules and requiring retention of original proclamations of the President and Executive orders as part of the National Archives.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in text on authority of

section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 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.

§ 1504. “Federal Register”; printing; contents; distribution; price

Documents required or authorized to be published by section 1505 of this title shall be printed and distributed immediately by the Government Publishing Office in a serial publication designated the “Federal Register.” The Director of the Government Publishing Office shall make available the facilities of the Government Publishing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required by this chapter and the regulations prescribed under it. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Office of the Federal Register up to the time of the day immediately preceding the day of distribution fixed by regulations under this chapter. There shall be printed with each document a copy of the notation, required to be made by section 1503 of this title, of the day and hour when, upon filing with the Office, the document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at a time in the morning of the day of distribution fixed by regulations prescribed under this chapter. The prices to be charged for the Federal Register may be fixed by the Administrative Committee of the Federal Register established by section 1506 of this title without reference to the restrictions placed upon and fixed for the sale of Government publications by sections 1705 and 1708 of this title.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1274; Pub. L. 113-235, div. H, title I, § 1301(b), (c)(1), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., § 303 (July 26, 1935, ch. 417, § 3, 49 Stat. 500).

AMENDMENTS

2014—Pub. L. 113-235, § 1301(c)(1), substituted “Director of the Government Publishing Office” for “Public Printer”.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in text on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of this title.

§ 1505. Documents to be published in Federal Register

(a) PROCLAMATIONS AND EXECUTIVE ORDERS; DOCUMENTS HAVING GENERAL APPLICABILITY AND LEGAL EFFECT; DOCUMENTS REQUIRED TO BE PUBLISHED BY CONGRESS. There shall be published in the Federal Register—

(1) Presidential proclamations and Executive orders, except those not having general applicability and legal effect or effective only

against Federal agencies or persons in their capacity as officers, agents, or employees thereof;

(2) documents or classes of documents that the President may determine from time to time have general applicability and legal effect; and

(3) documents or classes of documents that may be required so to be published by Act of Congress.

For the purposes of this chapter every document or order which prescribes a penalty has general applicability and legal effect.

(b) DOCUMENTS AUTHORIZED TO BE PUBLISHED BY REGULATIONS; COMMENTS AND NEWS ITEMS EXCLUDED. In addition to the foregoing there shall also be published in the Federal Register other documents or classes of documents authorized to be published by regulations prescribed under this chapter with the approval of the President, but comments or news items of any character may not be published in the Federal Register.

(c) SUSPENSION OF REQUIREMENTS FOR FILING OF DOCUMENTS; ALTERNATE SYSTEMS FOR PROMULGATING, FILING, OR PUBLISHING DOCUMENTS; PRESERVATION OF ORIGINALS. In the event of an attack or threatened attack upon the continental United States and a determination by the President that as a result of an attack or threatened attack—

(1) publication of the Federal Register or filing of documents with the Office of the Federal Register is impracticable, or

(2) under existing conditions publication in the Federal Register would not serve to give appropriate notice to the public of the contents of documents, the President may, without regard to any other provision of law, suspend all or part of the requirements of law or regulation for filing with the Office or publication in the Federal Register of documents or classes of documents.

The suspensions shall remain in effect until revoked by the President, or by concurrent resolution of the Congress. The President shall establish alternate systems for promulgating, filing, or publishing documents or classes of documents affected by such suspensions, including requirements relating to their effectiveness or validity, that may be considered under the then existing circumstances practicable to provide public notice of the issuance and of the contents of the documents. The alternate systems may, without limitation, provide for the use of regional or specialized publications or depositories for documents, or of the press, the radio, or similar mediums of general communication. Compliance with alternate systems of filing or publication shall have the same effect as filing with the Office or publication in the Federal Register under this chapter or other law or regulation. With respect to documents promulgated under alternate systems, each agency shall preserve the original and two duplicate originals or two certified copies for filing with the Office when the President determines that it is practicable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1274.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964, ed., §305 (July 26, 1935, ch. 417, §5, 49 Stat. 501; June 25, 1956, ch. 444, 70 Stat. 337).

DELEGATION OF FUNCTIONS

For delegation of functions vested in President by section 5(a) of Federal Register Act [now subsec. (a) of this section], to Attorney General and Archivist of United States, see section 6(a) of Ex. Ord. No. 10530, May 11, 1954, 19 F.R. 2709, as amended, set out as a note under section 301 of Title 3, The President. See, also, section 103(b)(1) of Pub. L. 98-497, set out as a note under section 2102 of this title.

EX. ORD. NO. 11030. PREPARATION, PRESENTATION, FILING, AND PUBLICATION OF EXECUTIVE ORDERS AND PROCLAMATIONS

Ex. Ord. No. 11030, June 19, 1962, 27 F.R. 5847, as amended by Ex. Ord. No. 11354, May 23, 1967, 32 F.R. 7695; Ex. Ord. No. 12080, Sept. 18, 1978, 43 F.R. 42235; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617; Ex. Ord. No. 13403, §1, May 12, 2006, 71 F.R. 28543; Ex. Ord. No. 13683, §1, Dec. 11, 2014, 79 F.R. 75041, provided:

By virtue of the authority vested in me by the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. 301 *et seq.*) [now this chapter], and as President of the United States, I hereby prescribe the following regulations governing the preparation, presentation, filing, and publication of Executive orders and proclamations:

SECTION 1. *Form.* Proposed Executive orders and proclamations shall be prepared in accordance with the following requirements:

(a) The order or proclamation shall be given a suitable title.

(b) The order or proclamation shall contain a citation of the authority under which it is issued.

(c) Punctuation, capitalization, spelling, and other matters of style shall, in general, conform to the most recent edition of the Style Manual of the United States Government Printing Office.

(d) The spelling of geographic names shall conform to the decisions of the Board on Geographic Names, established by Section 2 of the Act of July 25, 1947, 61 Stat. 456 (43 U.S.C. 364a).

(e) Descriptions of tracts of land shall conform, so far as practicable, to the most recent edition of the "Specifications for Descriptions of Tracts of Land for Use in Executive Orders and Proclamations," prepared by the Bureau of Land Management, Department of the Interior.

(f) Proposed Executive orders and proclamations shall be prepared on paper approximately 8.5 × 14 inches, shall have a left-hand margin of approximately 1 inch and a right-hand margin of approximately 1 inch, and shall be double-spaced, except that quotations, tabulations, and descriptions of land may be single-spaced.

(g) Proclamations issued by the President shall conclude with the following described recitation—

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, in the year of our lord _____, and of the Independence of the United States of America, the _____.

SEC. 2. *Routing and approval of drafts.* (a) A proposed Executive order or proclamation shall first be submitted to the Director of the Office of Management and Budget, together with a letter, signed by the head or other properly authorized officer of the originating Federal agency, explaining the nature, purpose, background, and effect of the proposed Executive order or proclamation and its relationship, if any, to pertinent laws and other Executive orders or proclamations.

(b) If the Director of the Office of Management and Budget approves the proposed Executive order or proclamation, he shall transmit it to the Attorney General for his consideration as to both form and legality.

(c) If the proposed Executive order or proclamation is disapproved by the Director of the Office of Management and Budget or by the Attorney General, it shall

not thereafter be presented to the President unless it is accompanied by a statement of the reasons for such disapproval.

SEC. 3. *Routing and certification of originals and copies.*

(a) If the order or proclamation is signed by the President, the original and two copies thereof shall be forwarded to the Director of the Office of the Federal Register for publication in the *FEDERAL REGISTER*.

(b) The Office of the Federal Register shall cause to be placed upon the copies of all Executive orders and proclamations forwarded as provided in subsection (a) of this section the following notation, to be signed by the Director or by some person authorized by him to sign such notation: "Certified to be a true copy of the original."

SEC. 4. *Proclamations calling for the observance of special days or events.* Except as may be otherwise provided by law, responsibility for the preparation and presentation of proposed proclamations calling for the observance of special days, or other periods of time, or events shall be assigned by the Director of the Office of Management and Budget to such agencies or offices as the Director may consider appropriate. Such proposed proclamations shall be submitted to the Director, or to an office within the Executive Office of the President designated by the Director, at least sixty days before the date of the specified observance. Notwithstanding the provisions of Section 2, the Director or the head of such designated office, as appropriate, shall transmit any approved commemorative proclamations to the President.

SEC. 5. *Trade Proclamations.* (a) Proclamations to be issued under the Trade Act of 1974 or other trade law ("trade proclamations") shall be prepared by the United States Trade Representative and submitted to the Attorney General for consideration as to both form and legality. Section 2 of this order does not apply to trade proclamations.

SEC. 6. *Proclamations of treaties excluded.* Consonant with the provisions of section 1511 of title 44, United States Code (49 Stat. 503 [sic]; 44 U.S.C. 1511), nothing in this order shall be construed to apply to treaties, conventions, protocols, or other international agreements, or proclamations thereof by the President.

SEC. 7. *Definition.* The term "Presidential proclamations and Executive orders," as used in subsection 1505(a) of title 44, United States Code (44 U.S.C. 1505(a)), shall, except as the President or his representative may hereafter otherwise direct, be deemed to include such attachments thereto as are referred to in the respective proclamations or orders.

SEC. 8. *Prior order.* Upon its publication in the *FEDERAL REGISTER*, this order shall supersede Executive Order No. 10006 of October 9, 1948.

The regulations prescribed by this order shall be codified under Title 1 of the Code of Federal Regulations.

§ 1506. Administrative Committee of the Federal Register; establishment and composition; powers and duties

The Administrative Committee of the Federal Register shall consist of the Archivist of the United States or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Director of the Government Publishing Office or Acting Director of the Government Publishing Office. The Director of the Federal Register shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out this chapter. The regulations shall provide, among other things—

(1) the manner of certification of copies required to be certified under section 1503 of this title, which certification may be permitted to be based upon confirmed communications from outside the District of Columbia;

(2) the documents which shall be authorized under section 1505(b) of this title to be published in the Federal Register;

(3) the manner and form in which the Federal Register shall be printed, reprinted, and compiled, indexed, bound, and distributed;

(4) the number of copies of the Federal Register, which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or Federal agency, for official use, and the number which shall be available for distribution to the public; and

(5) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes of it.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1275; Pub. L. 98-497, title I, §107(b)(5), Oct. 19, 1984, 98 Stat. 2287; Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§306, 391 (part) (July 26, 1935, ch. 417, §6, 49 Stat. 501; June 30, 1949, ch. 288, title I, §104, 63 Stat. 381).

This section incorporates only the last sentence from former section 391(b). The remainder of that section will be found in sections 2102, 2301, 2501, and 2902 of the revision.

AMENDMENTS

2014—Pub. L. 113-235 substituted “Director of the Government Publishing Office” for “Public Printer” in two places in introductory provisions.

1984—Pub. L. 98-497 struck out “The authority of the Administrator of General Services, under section 754 of title 40, to regroup, transfer, and distribute functions within the General Services Administration, does not extend to the Committee or its functions.”

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.

DELEGATION OF FUNCTIONS

For delegations of functions vested in President by section 6 of Federal Register Act [now this section], to Attorney General and Archivist of United States, see section 6(b) of Ex. Ord. No. 10530, May 11, 1954, 19 F.R. 2709, as amended, set out as a note under section 301 of Title 3, The President. See, also, section 103(b)(1) of Pub. L. 98-497, set out as a note under section 2102 of this title.

§ 1507. Filing document as constructive notice; publication in Federal Register as presumption of validity; judicial notice; citation

A document required by section 1505(a) of this title to be published in the Federal Register is not valid as against a person who has not had actual knowledge of it until the duplicate originals or certified copies of the document have been filed with the Office of the Federal Register and a copy made available for public inspection as provided by section 1503 of this title. Unless otherwise specifically provided by statute, filing of a document, required or authorized to be published by section 1505 of this title, except in cases where notice by publication is insufficient in law, is sufficient to give notice of the contents of the document to a person subject to or

affected by it. The publication in the Federal Register of a document creates a rebuttable presumption—

(1) that it was duly issued, prescribed, or promulgated;

(2) that it was filed with the Office of the Federal Register and made available for public inspection at the day and hour stated in the printed notation;

(3) that the copy contained in the Federal Register is a true copy of the original; and

(4) that all requirements of this chapter and the regulations prescribed under it relative to the document have been complied with.

The contents of the Federal Register shall be judicially noticed and without prejudice to any other mode of citation, may be cited by volume and page number.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §307 (July 26, 1935, ch. 417, §7, 49 Stat. 502).

§ 1508. Publication in Federal Register as notice of hearing

A notice of hearing or of opportunity to be heard, required or authorized to be given by an Act of Congress, or which may otherwise properly be given, shall be deemed to have been given to all persons residing within the States of the Union and the District of Columbia, except in cases where notice by publication is insufficient in law, when the notice is published in the Federal Register at such a time that the period between the publication and the date fixed in the notice for the hearing or for the termination of the opportunity to be heard is—

(1) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of Congress; or

(2) not less than fifteen days when time for publication is not specifically prescribed by the Act, without prejudice, however, to the effectiveness of a notice of less than fifteen days where the shorter period is reasonable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §308 (July 26, 1935, ch. 417, §8, 49 Stat. 502; June 25, 1959, Pub. L. 86-70, §34, 73 Stat. 149; July 12, 1960, Pub. L. 86-624, §33, 74 Stat. 421).

§ 1509. Costs of publication, etc.

(a) The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and the Code of Federal Regulations, and, except as provided in subsection (b), other expenses incurred by the Government Publishing Office in carrying out the duties placed upon it by this chapter shall be charged to the revolving fund provided in section 309. Reimbursements for such costs and expenses shall be made by the Federal agencies and credited, together with all receipts, as provided in section 309(b).

(b) The cost of printing, reprinting, wrapping, binding, and distributing all other publications of the Federal Register program, and other expenses incurred by the Government Publishing Office in connection with such publications,

shall be borne by the appropriations to the Government Publishing Office and the appropriations are made available, and are authorized to be increased by additional sums necessary for the purposes, the increases to be based upon estimates submitted by the Director of the Government Publishing Office.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1277; Pub. L. 95-94, title IV, § 408(a)(1), Aug. 5, 1977, 91 Stat. 683; Pub. L. 113-235, div. H, title I, § 1301(b), (c)(1), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 309 (July 26, 1935, ch. 417, § 9, 49 Stat. 502).

A reference to section 10 of Act June 19, 1934 is deleted because of the repeal of that section by Act June 30, 1949.

AMENDMENTS

2014—Subsec. (b). Pub. L. 113-235, § 1301(c)(1), substituted “Director of the Government Publishing Office” for “Public Printer”.

1977—Pub. L. 95-94 substituted “Costs of publication, etc.” for “Cost of publication; appropriations authorized; penalty mail privilege” in section catchline, added subsec. (a), designated former first paragraph as subsec. (b) and inserted provision restricting coverage to the other publications of the Federal Register program and struck out provision requiring payments for the Federal Register to be covered into the Treasury as miscellaneous receipts and former second paragraph relating to penalty mail privileges for the Federal Register.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” wherever appearing in text on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-94, title IV, § 408(b), Aug. 5, 1977, 91 Stat. 683, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 1977.”

§ 1510. Code of Federal Regulations

(a) The Administrative Committee of the Federal Register, with the approval of the President, may require, from time to time as it considers necessary, the preparation and publication in special or supplemental editions of the Federal Register of complete codifications of the documents of each agency of the Government having general applicability and legal effect, issued or promulgated by the agency by publication in the Federal Register or by filing with the Administrative Committee, and are relied upon by the agency as authority for, or are invoked or used by it in the discharge of, its activities or functions, and are in effect as to facts arising on or after dates specified by the Administrative Committee.

(b) A codification published under subsection (a) of this section shall be printed and bound in permanent form and shall be designated as the “Code of Federal Regulations.” The Administrative Committee shall regulate the binding of the printed codifications into separate books with a view to practical usefulness and economical manufacture. Each book shall contain an explanation of its coverage and other aids to users

that the Administrative Committee may require. A general index to the entire Code of Federal Regulations shall be separately printed and bound.

(c) The Administrative Committee shall regulate the supplementation and the collation and republication of the printed codifications with a view to keeping the Code of Federal Regulations as current as practicable. Each book shall be either supplemented or collated and republished at least once each calendar year.

(d) The Office of the Federal Register shall prepare and publish the codifications, supplements, collations, and indexes authorized by this section.

(e) The codified documents of the several agencies published in the supplemental edition of the Federal Register under this section, as amended by documents subsequently filed with the Office and published in the daily issues of the Federal Register shall be *prima facie* evidence of the text of the documents and of the fact that they are in effect on and after the date of publication.

(f) The Administrative Committee shall prescribe, with the approval of the President, regulations for carrying out this section.

(g) This section does not require codification of the text of Presidential documents published and periodically compiled in supplements to Title 3 of the Code of Federal Regulations.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1277.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., § 311 (July 26, 1935, ch. 417, § 11, 49 Stat. 503; June 19, 1937, ch. 369, 50 Stat. 304; 1939 Reorg. Plan No. II, § 202, eff. July 1, 1939, 4 F.R. 2732, 53 Stat. 1435; Dec. 10, 1942, ch. 717, § 2, 56 Stat. 1045; June 30, 1949, ch. 288, title I, § 104(b), 63 Stat. 381; Aug. 5, 1953, ch. 333, 67 Stat. 388; Dec. 2, 1963, Pub. L. 88-190, § 1, 77 Stat. 343).

RETROACTIVE AND PROSPECTIVE APPLICATION

Pub. L. 88-190, § 2, Dec. 2, 1963, 77 Stat. 344, provided that: “Section 11 of the Federal Register Act [section 311 of former Title 44, Public Printing and Documents, now this section], as amended by the first section of this Act [amending subsecs. (b) to (d) and (g) of such section 311, now subsecs. (b) to (d) and (g) of this section], shall apply to the Code of Federal Regulations previously authorized and published as well as to future publications made pursuant to that section as so amended.”

DELEGATION OF FUNCTIONS

For delegation of functions vested in President by section 11(a), (f) of Federal Register Act [now subsecs. (a) and (f) of this section], to Attorney General and Archivist of United States, see section 6(b) of Ex. Ord. No. 10530, May 11, 1954, 19 F.R. 2709, as amended, set out as a note under section 301 of Title 3, The President. See, also, section 103(b)(1) of Pub. L. 98-497, set out as a note under section 2102 of this title.

CODIFICATION OF EXECUTIVE AND ADMINISTRATIVE DOCUMENTS

Under authority of section 11(d) of the Federal Register Act [now subsec. (d) of this section] the Administrative Committee of the Federal Register issued regulations for the codification of executive and administrative documents, approved by the President Nov. 10, 1937, and set out in F.R. 2849 D.I., 2450 B.V.

§ 1511. International agreements excluded from provisions of chapter

This chapter does not apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1278.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §312 (July 26, 1935, ch. 417, §12, 49 Stat. 503).

CHAPTER 17—DISTRIBUTION AND SALE OF PUBLIC DOCUMENTS

Sec.

- 1701. Publications for public distribution to be distributed by the Director of the Government Publishing Office; mailing lists.
- 1702. Superintendent of Documents; sale of documents.
- 1703. Superintendent of Documents: assistants, blanks, printing and binding.
- 1704. Superintendent of Documents: pay of employees for night, Sunday, holiday, and overtime work.
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- 1714. Publications for use of General Services Administration.¹
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- 1717. Documents and reports for foreign legations.
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- 1721. Exchange of documents by heads of departments.
- 1722. Departmental distribution of publications.

AMENDMENTS

2014—Pub. L. 113-235, div. H, title I, §1301(c)(1), Dec. 16, 2014, 128 Stat. 2537, substituted “Director of the Government Publishing Office” for “Public Printer” in items 1701 and 1712.

FEDERAL RECORDS MANAGEMENT PROVISIONS WITHOUT EFFECT ON CHAPTER

Authority and responsibilities under chapter not limited or repealed by Federal Records Management Amendments of 1976, see section 5(b) of Pub. L. 94-575, set out as a note under section 2901 of this title.

¹Section catchline amended by Pub. L. 98-497 without corresponding amendment of chapter analysis.

§ 1701. Publications for public distribution to be distributed by the Director of the Government Publishing Office; mailing lists

Money appropriated by any Act may not be used for services in an executive department or other Government establishment at the District of Columbia, in the work of addressing, wrapping, mailing, or otherwise dispatching a publication for public distribution, except maps, weather reports, and weather cards issued by them or for the purchase of material or supplies to be used in this work. The Director of the Government Publishing Office shall perform this work at the Government Publishing Office. The head of an executive department, independent office, and establishment of the Government at the District of Columbia, shall furnish from time to time to the Director of the Government Publishing Office mailing lists, in convenient form, and changes in them, or penalty mail slips, for use in the public distribution of publications issued by the department or establishment. The Director of the Government Publishing Office may furnish copies of a publication only in accordance with law or the instruction of the head of the department or establishment issuing the publication.

This section does not apply to orders, instructions, directions, notices, or circulars of information printed for and issued by an executive department or other Government establishment or to the distribution of public documents by Senators or Members of the House of Representatives or to the Senate Service Department, House of Representatives Publications Distribution Service, and document rooms of the Senate or House of Representatives.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1278; Pub. L. 113-235, div. H, title I, §1301(b), (c), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §95 (Aug. 23, 1912, ch. 350, §8, 37 Stat. 414; July 2, 1954, ch. 455, title I, §101, 68 Stat. 397).

“House of Representatives Publications Distribution Service” is substituted for “House Folding Room” because of the change of name under authority of Public Law 88-652.

The term “executive department, independent office, and establishment of the Government” is substituted for “executive department and other Government establishment” for uniformity.

AMENDMENTS

Pub. L. 113-235, §1301(c), substituted “Director of the Government Publishing Office” for “Public Printer” wherever appearing in section catchline and text.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in text on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of this title.

§ 1702. Superintendent of Documents; sale of documents

The Director of the Government Publishing Office shall appoint a competent person to act as Superintendent of Documents who shall be under the control of the Director of the Government Publishing Office.