

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan Numbered 14 of 1950, referred to in subsec. (a)(1), is Reorg. Plan No. 14 of 1950, eff. May 24, 1950, 15 F.R. 3176, 64 Stat. 1267, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

2011—Subsec. (b)(1). Pub. L. 111-350 substituted “sections 6506 and 6507 of title 41” for “sections 4 and 5 of the Walsh-Healey Act (41 U.S.C. 38, 39)”.

2006—Subsec. (a)(1). Pub. L. 109-284, §6(16), inserted “of title 5” after “authorized by section 553”.

Subsec. (a)(2). Pub. L. 109-284, §6(17), struck out “of this section” after “subsection (d)”.

Statutory Notes and Related Subsidiaries

TERMINATION OF ADVISORY COMMITTEES

Advisory committees in existence on Jan. 5, 1973, to terminate not later than the expiration of the 2-year period following Jan. 5, 1973, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided by law. See section 1013 of Title 5, Government Organization and Employees.

§ 3705. Safety programs

The Secretary of Labor shall—

(1) provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe working conditions in employment covered by this chapter; and

(2) collect reports and data and consult with and advise employers as to the best means of preventing injuries.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1174.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|--|
| 3705 | 40:333(f). | Pub. L. 87-581, title I, §107(f), as added Pub. L. 91-54, §1, Aug. 9, 1969, 83 Stat. 98. |

§ 3706. Limitations, variations, tolerances, and exemptions

The Secretary of Labor may provide reasonable limitations to, and may prescribe regulations allowing reasonable variations to, tolerances from, and exemptions from, this chapter that the Secretary may find necessary and proper in the public interest to prevent injustice or undue hardship or to avoid serious impairment of the conduct of Federal Government business.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1174.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 3706 | 40:331. | Pub. L. 87-581, title I, §105, Aug. 13, 1962, 76 Stat. 359. |

§ 3707. Contractor certification or contract clause in acquisition of commercial items not required

In a contract to acquire a commercial product (as defined in section 103 of title 41) or a commercial service (as defined in section 103a of title 41), a certification by a contractor or a contract clause may not be required to implement a prohibition or requirement in this chapter.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1174; Pub. L. 111-350, §5(l)(21), Jan. 4, 2011, 124 Stat. 3852; Pub. L. 115-232, div. A, title VIII, §836(g)(6), Aug. 13, 2018, 132 Stat. 1874.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 3707 | 40:334. | Pub. L. 87-581, title I, §108, as added Pub. L. 103-355, title VIII, §8301(b), Oct. 13, 1994, 108 Stat. 3396. |

Editorial Notes

AMENDMENTS

2018—Pub. L. 115-232 substituted “a commercial product (as defined in section 103 of title 41) or a commercial service (as defined in section 103a of title 41)” for “a commercial item (as defined in section 103 of title 41)”.

2011—Pub. L. 111-350 substituted “section 103 of title 41” for “section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Jan. 1, 2020, subject to a savings provision, see section 836(h) of Pub. L. 115-232, set out as an Effective Date of 2018 Amendment; Savings Provision note under section 453b of Title 6, Domestic Security.

§ 3708. Criminal penalties

A contractor or subcontractor having a duty to employ, direct, or control a laborer or mechanic employed in the performance of work contemplated by a contract to which this chapter applies that intentionally violates this chapter shall be fined under title 18, imprisoned for not more than six months, or both.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1174.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---|
| 3708 | 40:332. | Pub. L. 87-581, title I, §106, Aug. 13, 1962, 76 Stat. 359. |

The words “shall be fined under title 18” are substituted for “shall be deemed guilty of a misdemeanor, and for each and every such offense shall, upon conviction, be punished by a fine of not to exceed \$1,000” for consistency with chapter 227 of title 18. The words “in the discretion of the court having jurisdiction thereof” are omitted as unnecessary.