

Editorial Notes

AMENDMENTS

2025—Pub. L. 118-267 amended section generally. Prior to amendment, section provided for the filing of documents, notation of time, public inspection, and transmission for printing.

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.

Statutory Notes and Related Subsidiaries

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”; publishing; contents; distribution; price; physical copies

Documents required or authorized to be published by section 1505 shall be published 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 publication 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 constitute 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 publication fixed by regulations under this chapter. There shall be published with each document a copy of the notation, required to be made by section 1503, of the day and hour when, upon filing with the Office, the document was made available for public inspection. Distribution shall be made 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 without reference to the restrictions placed upon and fixed for the sale of Government publications by sections 1705 and 1708. The Government Publishing Office shall print at least two physical copies of each published Federal Register issue. Of those, not less than two copies shall be stored, each in a separate facility, to ensure the preservation of the Federal Register for the purposes of continuity of government.

(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; Pub. L. 118-267, § 2(d), Jan. 4, 2025, 138 Stat. 2984.)

HISTORICAL AND REVISION NOTES

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

Editorial Notes

AMENDMENTS

2025—Pub. L. 118-267 amended section generally. Prior to amendment, section required that the Government Publishing Office immediately print and distribute documents required or authorized to be published by section 1505 in a serial publication designated the “Federal Register”.

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

§ 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; NEWS COMMENTARY 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 news commentary or news items of any character may not be published in the Federal Register.

(c) ALTERNATIVE PUBLICATION.—In a continuity of operations event in which the Government Publishing Office does not fulfill the publication requirements of this chapter, the Office of the Federal Register may establish an alternative method to publish the Federal Register until such time that the Government Publishing Office resumes publication.

(d) 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, telecommunications, the Internet, 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 document for filing with the Office when the President determines that it is practicable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1274; Pub. L. 118-267, §2(e), Jan. 4, 2025, 138 Stat. 2984.)

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).

Editorial Notes

AMENDMENTS

2025—Subsec. (b). Pub. L. 118-267, §2(e)(1), substituted “News Commentary” for “Comments” in heading and “news commentary” for “comments” in text.

Subsec. (c). Pub. L. 118-267, §2(e)(3), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 118-267, §2(e)(2), (4), redesignated subsec. (c) as (d) and, in concluding provisions, inserted “telecommunications, the Internet,” after “the press, the radio,” and substituted “the original document” for “the original and two duplicate originals or two certified copies”.

Executive Documents

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 10, 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 regula-

tions 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 enforced under Title 1 of the Code of Federal Regulations.

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

(a) COMPOSITION; DUTIES.—The Administrative Committee of the Federal Register shall consist of the Archivist of the United States or Acting Archivist, who shall chair the committee, 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 or their designee, regulations for carrying out this chapter. The regulations shall provide for, among other things, the following:

(1) The documents which shall be authorized under section 1505(b) to be published in the Federal Register.

(2) The manner and form in which the Federal Register shall be published.

(3) The manner and form in which agencies submit documents for publication in the Federal Register and special editions of the Federal Register.

(4) Subject to subsection (b), the manner of distribution 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.

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

(6) The manner and form by which the Federal Register may receive information and comments from the public, if practicable and efficient.

(7) Special editions of the Federal Register.

(b) RESTRICTIONS ON DISTRIBUTION OF FREE PRINTED COPIES TO MEMBERS OF CONGRESS AND OFFICERS AND EMPLOYEES OF THE UNITED STATES.—

(1) PROHIBITING SUBSCRIPTION TO PRINTED COPIES WITHOUT REQUEST.—Under the regulations prescribed to carry out subsection (a)(4), the Director of the Government Publishing Office may not provide a printed copy of the Federal Register without charge to any Member of Congress or any other office of the United States during a year unless—

(A) the Member or office requests a printed copy of a specific issue of the Federal Register; or

(B) during that year or during the previous year, the Member or office requested a subscription to printed copies of the Federal Register for that year, as described in paragraph (2).

(2) ADMINISTRATION OF SUBSCRIPTIONS.—The regulations prescribed to carry out subsection (a)(4) shall include—

(A) provisions regarding notifications to offices of Members of Congress and other offices of the United States of the restrictions of paragraph (1);

(B) provisions describing the process by which Members and other offices may request a specific issue of the Federal Register for purposes of paragraph (1)(A); and

(C) provisions describing the process by which Members and other offices may request a subscription to the Federal Register for purposes of paragraph (1)(B), except that such regulations shall limit the period for such a subscription to not longer than 1 year.

(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; Pub. L. 115-120, div. A, §2(a), Jan. 22, 2018, 132 Stat. 28; Pub. L. 118-267, §2(f), Jan. 4, 2025, 138 Stat. 2985.)

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.

Editorial Notes

AMENDMENTS

2025—Subsec. (a). Pub. L. 118-267 amended subsec. (a) generally. Prior to amendment, subsec. (a) related to the composition and duties of the Administrative Committee of the Federal Register.

2018—Pub. L. 115-120, §2(a)(1), designated existing provisions as subsec. (a) and inserted heading.

Subsec. (a)(4). Pub. L. 115-120, §2(a)(2), substituted “subject to subsection (b), the number of copies” for “the number of copies”.

Subsec. (b). Pub. L. 115-120, §2(a)(3), added subsec. (b).

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.”