

4 of former Title 41, Public Contracts, and was substantially repealed and restated in division C (§3101 et seq.) of subtitle I of Title 41, Public Contracts, by Pub. L. 111-350, §§3, 7(b), Jan. 4, 2011, 124 Stat. 3677, 3855. For complete classification of this Act to the Code, see Short Title of 1949 Act note set out under section 101 of Title 41 and Tables. For disposition of sections of former Title 41, see Disposition Table preceding section 101 of Title 41.

AMENDMENTS

1992—Pub. L. 102-354 renumbered section 575 of this title as this section.

1990—Subsec. (c)(16). Pub. L. 101-422 added par. (16).

1982—Subsec. (c)(13). Pub. L. 97-258 substituted “section 1342 of title 31” for “section 3679(b) of the Revised Statutes (31 U.S.C. 665(b))”.

1972—Subsec. (c)(10). Pub. L. 92-526, §1(a), inserted provisions authorizing contracts for the performance of such studies with any public or private persons, etc., under title III of the Federal Property and Administrative Services Act of 1949, as amended, and substituted provisions authorizing the payment of experts and consultants in accordance with rates not in excess of the maximum rate of pay for grade GS-15 as provided in section 5332 of this title, for provisions authorizing the payment of such individuals at rates not in excess of \$100 a day.

Subsec. (c)(11) to (15). Pub. L. 92-526, §1(b), added pars. (11) to (13) and redesignated former pars. (11) and (12) as (14) and (15), respectively.

TERMINATION OF ADMINISTRATIVE CONFERENCE OF UNITED STATES

For termination of Administrative Conference of United States, see note set out preceding section 591 of this title.

§ 596. Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter not more than \$3,200,000 for fiscal year 2009, \$3,200,000 for fiscal year 2010, and \$3,200,000 for fiscal year 2011. Of any amounts appropriated under this section, not more than \$2,500 may be made available in each fiscal year for official representation and entertainment expenses for foreign dignitaries.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 391, §576; Pub. L. 91-164, Dec. 24, 1969, 83 Stat. 446; Pub. L. 92-526, §2, Oct. 21, 1972, 86 Stat. 1048; Pub. L. 95-293, §1(a), June 13, 1978, 92 Stat. 317; Pub. L. 97-330, Oct. 15, 1982, 96 Stat. 1618; Pub. L. 99-470, §2(a), Oct. 14, 1986, 100 Stat. 1198; Pub. L. 101-422, §1, Oct. 12, 1990, 104 Stat. 910; renumbered §596, Pub. L. 102-354, §2(2), Aug. 26, 1992, 106 Stat. 944; Pub. L. 108-401, §3, Oct. 30, 2004, 118 Stat. 2255; Pub. L. 110-290, §2, July 30, 2008, 122 Stat. 2914.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Derivation, U.S. Code, Revised Statutes and Statutes at Large. Row 1: 5 U.S.C. 1045e. Aug. 30, 1964, Pub. L. 88-499, §7, 78 Stat. 618.

The word “hereby” is omitted as unnecessary. Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

AMENDMENTS

2008—Pub. L. 110-290 amended section generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out this subchapter not more than \$3,000,000 for fiscal year 2005, \$3,100,000 for fiscal year 2006, and \$3,200,000 for fiscal year 2007. Of any

amounts appropriated under this section, not more than \$2,500 may be made available in each fiscal year for official representation and entertainment expenses for foreign dignitaries.”

2004—Pub. L. 108-401 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out the purposes of this subchapter not more than \$2,000,000 for fiscal year 1990, \$2,100,000 for fiscal year 1991, \$2,200,000 for fiscal year 1992, \$2,300,000 for fiscal year 1993, and \$2,400,000 for fiscal year 1994. Of any amounts appropriated under this section, not more than \$1,500 may be made available in each fiscal year for official representation and entertainment expenses for foreign dignitaries.”

1992—Pub. L. 102-354 renumbered section 576 of this title as this section.

1990—Pub. L. 101-422 amended section generally. Prior to amendment, section read as follows: “There are authorized to be appropriated to carry out the purposes of this subchapter not more than \$1,600,000 for fiscal year 1986 and not more than \$2,000,000 for each fiscal year thereafter up to and including fiscal year 1990. Of any amounts appropriated under this section, not more than \$1,000 may be made available in each fiscal year for official reception and entertainment expenses for foreign dignitaries.”

1986—Pub. L. 99-470 substituted “Authorization of appropriations” for “Appropriations” in section catchline and amended text generally. Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out the purposes of this subchapter sums not to exceed \$2,300,000 for the fiscal year ending September 30, 1982, and not to exceed \$2,300,000 for each fiscal year thereafter up to and including the fiscal year ending September 30, 1986.”

1982—Pub. L. 97-330 substituted provisions authorizing appropriations of not to exceed \$2,300,000 for fiscal year ending Sept. 30, 1982, and not to exceed \$2,300,000 for each fiscal year thereafter up to and including fiscal year ending Sept. 30, 1986, for provisions that had authorized appropriations of not to exceed \$1,700,000 for fiscal year ending Sept. 30, 1979, \$2,000,000 for fiscal year ending Sept. 30, 1980, \$2,300,000 for fiscal year ending Sept. 30, 1981, and \$2,300,000 for fiscal year ending Sept. 30, 1982.

1978—Pub. L. 95-293 substituted provisions authorizing appropriations for fiscal years ending Sept. 30, 1979, Sept. 30, 1980, Sept. 30, 1981, and Sept. 30, 1982, of \$1,700,000, \$2,000,000, \$2,300,000, and \$2,300,000, respectively, for provisions authorizing appropriations for fiscal years ending June 30, 1974, June 30, 1975, June 30, 1976, June 30, 1977, and June 30, 1978, of \$760,000, \$805,000, \$850,000, \$900,000, and \$950,000, respectively, and provisions authorizing for each fiscal year thereafter such sums as may be necessary.

1972—Pub. L. 92-526 substituted provisions authorizing to be appropriated necessary sums not in excess of \$760,000 for fiscal year ending June 30, 1974, \$805,000 for fiscal year ending June 30, 1975, \$850,000 for fiscal year ending June 30, 1976, \$900,000 for fiscal year ending June 30, 1977, and \$950,000 for fiscal year ending June 30, 1978, and each fiscal year thereafter, for provisions authorizing to be appropriated necessary sums, not in excess of \$450,000 per annum.

1969—Pub. L. 91-164 substituted “\$450,000 per annum” for “\$250,000”.

EFFECTIVE DATE OF 1978 AMENDMENT

Section 1(b) of Pub. L. 95-293 provided that: “The amendment made by subsection (a) [amending this section] shall take effect October 1, 1977.”

CHAPTER 6—THE ANALYSIS OF REGULATORY FUNCTIONS

- Sec. 601. Definitions.
602. Regulatory agenda.
603. Initial regulatory flexibility analysis.

Sec.	
604.	Final regulatory flexibility analysis.
605.	Avoidance of duplicative or unnecessary analyses.
606.	Effect on other law.
607.	Preparation of analyses.
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609.	Procedures for gathering comments.
610.	Periodic review of rules.
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612.	Reports and intervention rights.

§ 601. Definitions

For purposes of this chapter—

(1) the term “agency” means an agency as defined in section 551(1) of this title;

(2) the term “rule” means any rule for which the agency publishes a general notice of proposed rulemaking pursuant to section 553(b) of this title, or any other law, including any rule of general applicability governing Federal grants to State and local governments for which the agency provides an opportunity for notice and public comment, except that the term “rule” does not include a rule of particular applicability relating to rates, wages, corporate or financial structures or reorganizations thereof, prices, facilities, appliances, services, or allowances therefor or to valuations, costs or accounting, or practices relating to such rates, wages, structures, prices, appliances, services, or allowances;

(3) the term “small business” has the same meaning as the term “small business concern” under section 3 of the Small Business Act, unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register;

(4) the term “small organization” means any not-for-profit enterprise which is independently owned and operated and is not dominant in its field, unless an agency establishes, after opportunity for public comment, one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register;

(5) the term “small governmental jurisdiction” means governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than fifty thousand, unless an agency establishes, after opportunity for public comment, one or more definitions of such term which are appropriate to the activities of the agency and which are based on such factors as location in rural or sparsely populated areas or limited revenues due to the population of such jurisdiction, and publishes such definition(s) in the Federal Register;

(6) the term “small entity” shall have the same meaning as the terms “small business”, “small organization” and “small governmental jurisdiction” defined in paragraphs (3), (4) and (5) of this section; and

(7) the term “collection of information”—

(A) means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or

opinions by or for an agency, regardless of form or format, calling for either—

(i) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, 10 or more persons, other than agencies, instrumentalities, or employees of the United States; or

(ii) answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes; and

(B) shall not include a collection of information described under section 3518(c)(1) of title 44, United States Code.

(8) RECORDKEEPING REQUIREMENT.—The term “recordkeeping requirement” means a requirement imposed by an agency on persons to maintain specified records.

(Added Pub. L. 96-354, §3(a), Sept. 19, 1980, 94 Stat. 1165; amended Pub. L. 104-121, title II, §241(a)(2), Mar. 29, 1996, 110 Stat. 864.)

REFERENCES IN TEXT

Section 3 of the Small Business Act, referred to in par. (3), is classified to section 632 of Title 15, Commerce and Trade.

AMENDMENTS

1996—Pars. (7), (8). Pub. L. 104-121 added pars. (7) and (8).

EFFECTIVE DATE OF 1996 AMENDMENT

Section 245 of title II of Pub. L. 104-121 provided that: “This subtitle [subtitle D (§§241-245) of title II of Pub. L. 104-121, amending this section and sections 603 to 605, 609, 611, and 612 of this title and enacting provisions set out as a note under section 609 of this title] shall become effective on the expiration of 90 days after the date of enactment of this subtitle [Mar. 29, 1996], except that such amendments shall not apply to interpretative rules for which a notice of proposed rulemaking was published prior to the date of enactment.”

EFFECTIVE DATE

Section 4 of Pub. L. 96-354 provided that: “The provisions of this Act [enacting this chapter] shall take effect January 1, 1981, except that the requirements of sections 603 and 604 of title 5, United States Code (as added by section 3 of this Act) shall apply only to rules for which a notice of proposed rulemaking is issued on or after January 1, 1981.”

SHORT TITLE OF 1996 AMENDMENT

Section 1 of Pub. L. 104-121 provided that: “This Act [enacting sections 801 to 808 of this title, section 657 of Title 15, Commerce and Trade, and sections 1320b-15 and 1383e of Title 42, The Public Health and Welfare, amending this section and sections 504, 603 to 605, 609, 611, and 612 of this title, sections 665e and 901 of Title 2, The Congress, section 648 of Title 15, section 2412 of Title 28, Judiciary and Judicial Procedure, section 3101 of Title 31, Money and Finance, and sections 401, 402, 403, 405, 422, 423, 425, 902, 903, 1382, 1382c, 1383, and 1383c of Title 42, enacting provisions set out as notes under this section and sections 504, 609, and 801 of this title and sections 401, 402, 403, 405, 902, 1305, 1320b-15, and 1382 of Title 42, amending provisions set out as a note under section 631 of Title 15, and repealing provisions set out as a note under section 425 of Title 42] may be cited as the ‘Contract with America Advancement Act of 1996.’”

SHORT TITLE

Section 1 of Pub. L. 96-354 provided: “That this Act [enacting this chapter] may be cited as the ‘Regulatory Flexibility Act’.”