

away from their homes or regular places of business, such members may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed under section 5703(b)¹ of such title. Individuals serving as members on the Board shall not be considered officers or employees of the United States by reason of receiving payments under this paragraph.

(c) Termination

The Board shall terminate on the date six years after the date it is established under this section.

(Pub. L. 86-613, §20, as added Pub. L. 95-631, §10, Nov. 10, 1978, 92 Stat. 3747; amended Pub. L. 110-314, title II, §204(b)(4)(H), (I), Aug. 14, 2008, 122 Stat. 3042.)

REFERENCES IN TEXT

Section 5703 of title 5, referred to in subsec. (b)(5), was amended generally by Pub. L. 94-22, §4, May 19, 1975, 89 Stat. 85, and, as so amended, does not contain a subsec. (b).

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-314 substituted “Commission” for “Consumer Product Safety Commission” after “November 10, 1978, the” and struck out “(hereinafter in this section referred to as the ‘Commission’)” immediately thereafter.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, §101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 1276. Congressional veto of hazardous substances regulations

(a) Transmission to Congress

The Commission shall transmit to the Secretary of the Senate and the Clerk of the House of Representatives a copy of any regulation promulgated by the Commission under section 1261(q)(1) of this title or subsection (e) of section 1262 of this title.

(b) Disapproval by concurrent resolution

Any regulation specified in subsection (a) shall not take effect if—

- (1) within the ninety calendar days of continuous session of the Congress which occur after the date of the promulgation of such regulation, both Houses of the Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows (with the blank spaces appropriately filled): “That the Congress disapproves the regulation which was promulgated under the Federal Hazardous Substances Act by the Consumer Product Safety Commission with respect to _____ and which was transmitted to the Congress on _____ and disapproves the regulation for the following reasons: _____.”; or

(2) within the sixty calendar days of continuous session of the Congress which occur after the date of the promulgation of such regulation, one House of the Congress adopts such concurrent resolution and transmits such resolution to the other House and such resolution is not disapproved by such other House within the thirty calendar days of continuous session of the Congress which occur after the date of such transmittal.

(c) Presumptions from Congressional action or inaction

Congressional inaction on, or rejection of, a concurrent resolution of disapproval under this section shall not be construed as an expression of approval of the regulation involved, and shall not be construed to create any presumption of validity with respect to such regulation.

(d) Continuous session of Congress

For purposes of this section—

(1) continuity of session is broken only by an adjournment of the Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the periods of continuous session of the Congress specified in subsection (b).

(Pub. L. 86-613, §21, as added Pub. L. 97-35, title XII, §1207(c), Aug. 13, 1981, 95 Stat. 718; amended Pub. L. 110-314, title II, §204(b)(4)(H), Aug. 14, 2008, 122 Stat. 3042.)

REFERENCES IN TEXT

The Federal Hazardous Substances Act, referred to in subsec. (b), is Pub. L. 86-613, July 12, 1960, 74 Stat. 372, as amended, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1261 of this title and Tables.

AMENDMENTS

2008—Pub. L. 110-314, which directed the substitution of “Commission” for “Consumer Product Safety Commission” in this section, was executed by making the substitution in subsec. (a), before “shall transmit”, but not in subsec. (b)(1), to reflect the probable intent of Congress.

EFFECTIVE DATE

Section applicable with respect to consumer product safety rules under chapter 47 of this title and regulations under this chapter and chapter 25 of this title promulgated after Aug. 13, 1981, see section 1215 of Pub. L. 97-35, set out as an Effective Date of 1981 Amendment note under section 2052 of this title.

§ 1277. Labeling of art materials

(a) Regulation status of standard D-4236 of American Society for Testing and Materials

On and after the last day of the 2-year period beginning on November 18, 1988, the requirements for the labeling of art materials set forth in the version of the standard of the American Society for Testing and Materials designated D-4236 that is in effect on November 18, 1988, and as modified by subsection (b) shall be deemed to be a regulation issued by the Commission under section 1262(b) of this title.

¹ See References in Text note below.