

defendant, if some or all of the matters alleged in the class action are subject to regulation or supervision by that person.

(2) STATE DEPOSITORY INSTITUTIONS.—In any case in which the defendant is a State depository institution (as that term is defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)), the notice requirements of this section are satisfied by serving the notice required under subsection (b) upon the State bank supervisor (as that term is defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) of the State in which the defendant is incorporated or chartered, if some or all of the matters alleged in the class action are subject to regulation or supervision by that person, and upon the appropriate Federal official.

(d) FINAL APPROVAL.—An order giving final approval of a proposed settlement may not be issued earlier than 90 days after the later of the dates on which the appropriate Federal official and the appropriate State official are served with the notice required under subsection (b).

(e) NONCOMPLIANCE IF NOTICE NOT PROVIDED.—

(1) IN GENERAL.—A class member may refuse to comply with and may choose not to be bound by a settlement agreement or consent decree in a class action if the class member demonstrates that the notice required under subsection (b) has not been provided.

(2) LIMITATION.—A class member may not refuse to comply with or to be bound by a settlement agreement or consent decree under paragraph (1) if the notice required under subsection (b) was directed to the appropriate Federal official and to either the State attorney general or the person that has primary regulatory, supervisory, or licensing authority over the defendant.

(3) APPLICATION OF RIGHTS.—The rights created by this subsection shall apply only to class members or any person acting on a class member's behalf, and shall not be construed to limit any other rights affecting a class member's participation in the settlement.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to expand the authority of, or impose any obligations, duties, or responsibilities upon, Federal or State officials.

(Added Pub. L. 109-2, §3(a), Feb. 18, 2005, 119 Stat. 7.)

EFFECTIVE DATE

Section applicable to any civil action commenced on or after Feb. 18, 2005, see section 9 of Pub. L. 109-2, set out as an Effective Date of 2005 Amendment note under section 1332 of this title.

CHAPTER 115—EVIDENCE; DOCUMENTARY

| | |
|-------|---|
| Sec. | |
| 1731. | Handwriting. |
| 1732. | Record made in regular course of business; photographic copies. |
| 1733. | Government records and papers; copies. |
| 1734. | Court record lost or destroyed generally. ¹ |
| 1735. | Court record lost or destroyed where United States interested. |

¹ So in original. Does not conform to section catchline.

| | |
|--------|---|
| 1736. | Congressional Journals. |
| 1737. | Copy of officer's bond. |
| 1738. | State and Territorial statutes and judicial proceedings; full faith and credit. |
| 1738A. | Full faith and credit given to child custody determinations. |
| 1738B. | Full faith and credit for child support orders. |
| 1738C. | Certain acts, records, and proceedings and the effect thereof. |
| 1739. | State and Territorial nonjudicial records; full faith and credit. |
| 1740. | Copies of consular papers. |
| 1741. | Foreign official documents. |
| [1742. | Repealed.] |
| 1743. | Demand on postmaster. |
| 1744. | Copies of United States Patent and Trademark Office documents generally. ¹ |
| 1745. | Copies of foreign patent documents. |
| 1746. | Unsworn declarations under penalty of perjury. |

AMENDMENTS

1999—Pub. L. 106-113, div. B, §1000(a)(9) [title IV, §4732(b)(15)(A)], Nov. 29, 1999, 113 Stat. 1536, 1501A-584, which directed the amendment of item 1744 by substituting "United States Patent and Trademark Office" for "Patent Office", was executed by making the substitution for "patent office" to reflect the probable intent of Congress.

1996—Pub. L. 104-199, §2(b), Sept. 21, 1996, 110 Stat. 2419, added item 1738C.

1994—Pub. L. 103-383, §3(b), Oct. 20, 1994, 108 Stat. 4066, added item 1738B.

1980—Pub. L. 96-611, §8(b), Dec. 28, 1980, 94 Stat. 3571, added item 1738A.

1976—Pub. L. 94-550, §1(b), Oct. 18, 1976, 90 Stat. 2534, added item 1746.

1964—Pub. L. 88-619, §§5(b), 6(b), 7(b), Oct. 3, 1964, 78 Stat. 996, substituted "official documents" for "documents generally; copies" in item 1741, inserted "[Repealed]" in item 1742, and substituted "documents" for "specifications and drawings" in item 1745.

1951—Act Aug. 28, 1951, ch. 351, §2, 65 Stat. 206, inserted "; photographic copies" in item 1732.

1949—Act May 24, 1949, ch. 139, §92(a), 63 Stat. 103, struck out item 1745 "Printed copies of patient specifications and drawings" and renumbered item 1746 as 1745.

§ 1731. Handwriting

The admitted or proved handwriting of any person shall be admissible, for purposes of comparison, to determine genuineness of other handwriting attributed to such person.

(June 25, 1948, ch. 646, 62 Stat. 945.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §638 (Feb. 26, 1913, ch. 79, 37 Stat. 683).

Words "as a basis for comparison by witnesses, or by the jury, court, or officer conducting such proceeding", were omitted as superfluous.

Changes were made in phraseology.

§ 1732. Record made in regular course of business; photographic copies

If any business, institution, member of a profession or calling, or any department or agency of government, in the regular course of business or activity has kept or recorded any memorandum, writing, entry, print, representation or combination thereof, of any act, transaction, occurrence, or event, and in the regular course of business has caused any or all of the same to be recorded, copied, or reproduced by any photographic, photostatic, microfilm, micro-card,