

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 codified 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 be chairman, 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, regulations for carrying out this chapter. The regulations shall provide, among other things—

(1) the manner of certification of copies required to be certified under section 1503 of this title, which certification may be permitted to be based upon confirmed communications from outside the District of Columbia;

(2) the documents which shall be authorized under section 1505(b) of this title to be published in the Federal Register;

(3) the manner and form in which the Federal Register shall be printed, reprinted, and compiled, indexed, bound, and distributed;

(4) subject to subsection (b), the number of copies of the Federal Register, which shall be printed, reprinted, and compiled, the number which shall be distributed without charge 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; and

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

(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.)

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.

AMENDMENTS

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.”

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115–120, div. A, §2(b), Jan. 22, 2018, 132 Stat. 29, provided that: “The amendment made by subsection (a) [amending this section] shall take effect January 1, 2018.”

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.

DELEGATION OF FUNCTIONS

For delegations of functions vested in President by section 6 of Federal Register Act [now this section], to

Attorney General and Archivist of United States, see section 6(b) 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.

§ 1507. Filing document as constructive notice; publication in Federal Register as presumption of validity; judicial notice; citation

A document required by section 1505(a) of this title to be published in the Federal Register is not valid as against a person who has not had actual knowledge of it until the duplicate originals or certified copies of the document have been filed with the Office of the Federal Register and a copy made available for public inspection as provided by section 1503 of this title. Unless otherwise specifically provided by statute, filing of a document, required or authorized to be published by section 1505 of this title, except in cases where notice by publication is insufficient in law, is sufficient to give notice of the contents of the document to a person subject to or affected by it. The publication in the Federal Register of a document creates a rebuttable presumption—

- (1) that it was duly issued, prescribed, or promulgated;
- (2) that it was filed with the Office of the Federal Register and made available for public inspection at the day and hour stated in the printed notation;
- (3) that the copy contained in the Federal Register is a true copy of the original; and
- (4) that all requirements of this chapter and the regulations prescribed under it relative to the document have been complied with.

The contents of the Federal Register shall be judicially noticed and without prejudice to any other mode of citation, may be cited by volume and page number.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §307 (July 26, 1935, ch. 417, §7, 49 Stat. 502).

§ 1508. Publication in Federal Register as notice of hearing

A notice of hearing or of opportunity to be heard, required or authorized to be given by an Act of Congress, or which may otherwise properly be given, shall be deemed to have been given to all persons residing within the States of the Union and the District of Columbia, except in cases where notice by publication is insufficient in law, when the notice is published in the Federal Register at such a time that the period between the publication and the date fixed in the notice for the hearing or for the termination of the opportunity to be heard is—

- (1) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of Congress; or
- (2) not less than fifteen days when time for publication is not specifically prescribed by the Act, without prejudice, however, to the effectiveness of a notice of less than fifteen days where the shorter period is reasonable.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1276.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §308 (July 26, 1935, ch. 417, §8, 49 Stat. 502; June 25, 1959, Pub. L. 86-70, §34, 73 Stat. 149; July 12, 1960, Pub. L. 86-624, §33, 74 Stat. 421).

§ 1509. Costs of publication, etc.

(a) The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and the Code of Federal Regulations, and, except as provided in subsection (b), other expenses incurred by the Government Publishing Office in carrying out the duties placed upon it by this chapter shall be charged to the revolving fund provided in section 309. Reimbursements for such costs and expenses shall be made by the Federal agencies and credited, together with all receipts, as provided in section 309(b).

(b) The cost of printing, reprinting, wrapping, binding, and distributing all other publications of the Federal Register program, and other expenses incurred by the Government Publishing Office in connection with such publications, shall be borne by the appropriations to the Government Publishing Office and the appropriations are made available, and are authorized to be increased by additional sums necessary for the purposes, the increases to be based upon estimates submitted by the Director of the Government Publishing Office.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1277; Pub. L. 95-94, title IV, §408(a)(1), Aug. 5, 1977, 91 Stat. 683; Pub. L. 113-235, div. H, title I, §1301(b), (c)(1), Dec. 16, 2014, 128 Stat. 2537.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §309 (July 26, 1935, ch. 417, §9, 49 Stat. 502).

A reference to section 10 of Act June 19, 1934 is deleted because of the repeal of that section by Act June 30, 1949.

AMENDMENTS

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

1977—Pub. L. 95-94 substituted “Costs of publication, etc.” for “Cost of publication; appropriations authorized; penalty mail privilege” in section catchline, added subsec. (a), designated former first paragraph as subsec. (b) and inserted provision restricting coverage to the other publications of the Federal Register program and struck out provision requiring payments for the Federal Register to be covered into the Treasury as miscellaneous receipts and former second paragraph relating to penalty mail privileges for the Federal Register.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” wherever appearing in text on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-94, title IV, §408(b), Aug. 5, 1977, 91 Stat. 683, provided that: “The amendments made by subsection (a) [amending this section] shall take effect on October 1, 1977.”

§ 1510. Code of Federal Regulations

(a) The Administrative Committee of the Federal Register, with the approval of the Presi-