

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 Title 44, Public Printing and Documents.

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE; DELEGATION OF FUNCTIONS; TRANSFER OF PROPERTY AND PERSONNEL

Similar provisions were contained in R.S. §204; act Dec. 28, 1874, ch. 9, §2, 18 Stat. 294; 1950 Reorg. Plan No. 20, §1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272, which with the exception of the reorganization plan, were repealed by section 56(h) of act Oct. 31, 1951. Subsec. (l) of that section 56 provided that the repeal should not affect any rights or liabilities existing under those statutes on the effective date of the repeal (Oct. 31, 1951). For delegation of functions under the repealed statutes, and transfer of records, property, personnel, and funds, see sections 3 and 4 of 1950 Reorg. Plan No. 20, set out in the Appendix to Title 5, Government Organization and Employees.

§ 106b. Amendments to Constitution

Whenever official notice is received at the National Archives and Records Administration that any amendment proposed to the Constitution of the United States has been adopted, according to the provisions of the Constitution, the Archivist of the United States shall forthwith cause the amendment to be published, with his certificate, specifying the States by which the same may have been adopted, and that the same has become valid, to all intents and purposes, as a part of the Constitution of the United States.

(Added Oct. 31, 1951, ch. 655, §2(b), 65 Stat. 710; amended Pub. L. 98-497, title I, §107(d), Oct. 19, 1984, 98 Stat. 2291.)

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-497 substituted “National Archives and Records Administration” and “Archivist of the United States” for “General Services Administration” and “Administrator of General Services”, respectively.

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 Title 44, Public Printing and Documents.

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE; DELEGATION OF FUNCTIONS; TRANSFER OF PROPERTY AND PERSONNEL

Similar provisions were contained in R.S. §205; 1950 Reorg. Plan No. 20, §1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272. R.S. §205 was repealed by section 56(h) of act Oct. 31, 1951. Subsec. (l) of section 56 provided that the repeal should not affect any rights or liabilities existing under the repealed statute on the effective date of the repeal (Oct. 31, 1951). For delegation of functions under the repealed statute, and transfer of records, property, personnel, and funds, see sections 3 and 4 of 1950 Reorg. Plan No. 20, set out in the Appendix to Title 5, Government Organization and Employees.

§ 107. Parchment or paper for printing enrolled bills or resolutions

Enrolled bills and resolutions of either House of Congress shall be printed on parchment or

paper of suitable quality as shall be determined by the Joint Committee on Printing.

(July 30, 1947, ch. 388, 61 Stat. 635.)

§ 108. Repeal of repealing act

Whenever an Act is repealed, which repealed a former Act, such former Act shall not thereby be revived, unless it shall be expressly so provided.

(July 30, 1947, ch. 388, 61 Stat. 635.)

§ 109. Repeal of statutes as affecting existing liabilities

The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing Act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability. The expiration of a temporary statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the temporary statute shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

(July 30, 1947, ch. 388, 61 Stat. 635.)

§ 110. Saving clause of Revised Statutes

All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in the Revised Statutes and covered by the repeal contained therein, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

(July 30, 1947, ch. 388, 61 Stat. 635.)

§ 111. Repeals as evidence of prior effectiveness

No inference shall be raised by the enactment of the Act of March 3, 1933 (ch. 202, 47 Stat. 1431), that the sections of the Revised Statutes repealed by such Act were in force or effect at the time of such enactment: *Provided, however*, That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

(July 30, 1947, ch. 388, 61 Stat. 635.)

Editorial Notes

REFERENCES IN TEXT

Act of March 3, 1933, referred to in text, was repealed by section 2 of act July 30, 1947, section 1 of which enacted this title.

§ 112. Statutes at Large; contents; admissibility in evidence

The Archivist of the United States shall cause to be compiled, edited, indexed, and published,

the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all proclamations by the President in the numbered series issued since the date of the adjournment of the regular session of Congress next preceding; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Archivist of the United States issued in compliance with the provision contained in section 106b of this title. In the event of an extra session of Congress, the Archivist of the United States shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

(July 30, 1947, ch. 388, 61 Stat. 636; Sept. 23, 1950, ch. 1001, § 1, 64 Stat. 979; Oct. 31, 1951, ch. 655, § 3, 65 Stat. 710; Pub. L. 98-497, title I, §107(d), Oct. 19, 1984, 98 Stat. 2291.)

Editorial Notes

AMENDMENTS

1984—Pub. L. 98-497 substituted “Archivist of the United States” for “Administrator of General Services” in three places.

1951—Act Oct. 31, 1951, substituted “106b of this title” for “205 of the Revised Statutes” in first sentence.

1950—Act Sept. 23, 1950, amended section generally to implement 1950 Reorg. Plan No. 20, § 1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272, which transferred to the Administrator of General Services certain duties formerly performed by the Secretary of State.

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 Title 44, Public Printing and Documents.

PUBLISHING PUB. L. 115-141 IN STATUTES AT LARGE

Pub. L. 115-141, div. G, title I, §121(c), Mar. 23, 2018, 132 Stat. 662, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the sections of the bill and the bills referred to in subsections (a) [enacting into law from the 115th Congress sections 7130 and 7134 of S. 1460, as placed on the calendar of the Senate on June 29, 2017] and (b) [enacting into law from the 115th Congress H.R. 1281, as introduced on Mar. 1, 2017, and H.R. 4134, as introduced on Oct. 25, 2017], respectively.”

PUBLISHING PUB. L. 115-31 IN STATUTES AT LARGE

Pub. L. 115-31, div. G, title IV, §431(b), May 5, 2017, 131 Stat. 502, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date

of approval at the end an appendix setting forth the text of the bills referred to in subsection (a) [enacting into law from the 115th Congress H.R. 2104, as introduced on Apr. 20, 2017; S. 131, as ordered to be reported on Mar. 30, 2017, by the Committee on Energy and Natural Resources of the Senate; and S. 847, as introduced on Apr. 5, 2017].”

PUBLISHING PUB. L. 107-206 IN STATUTES AT LARGE

Pub. L. 107-206, title III, §3002(h), Aug. 2, 2002, 116 Stat. 924, provided that: “In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) [set out as a Short Title of 2002 Amendment note under section 101 of Title 39, Postal Service].”

PUBLICATION OF CERTAIN LAWS OF 106TH CONGRESS

Pub. L. 106-554, §1(b), Dec. 21, 2000, 114 Stat. 2763, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section [enacting into law H.R. 5656, H.R. 5657, H.R. 5658, H.R. 5660, H.R. 5661, H.R. 5662, and H.R. 5663 of the 106th Congress, as introduced on Dec. 14, 2000, and H.R. 5666 and H.R. 5667 of the 106th Congress, as introduced on Dec. 15, 2000, except that the text of H.R. 5666, as so enacted, shall not include section 123] and the text of any other bill enacted into law by reference by reason of the enactment of this Act.”

Pub. L. 106-553, §1(b), Dec. 21, 2000, 114 Stat. 2762, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section [enacting into law H.R. 5547 and H.R. 5548 of the 106th Congress, as introduced on Oct. 25, 2000].”

Pub. L. 106-429, §101(a) [title V, §595(b)], Nov. 6, 2000, 114 Stat. 1900, 1900A-60, provided that: “In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bill referred to in subsection (a) of this section [enacting into law S. 3140 of the 106th Congress, as introduced on Sept. 28, 2000].”

Pub. L. 106-429, §101(b), Nov. 6, 2000, 114 Stat. 1900, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section [enacting into law H.R. 5526 of the 106th Congress, as introduced on Oct. 24, 2000].”

Pub. L. 106-398, §2, Oct. 30, 2000, 114 Stat. 1654, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval an appendix setting forth the text of the bill referred to in section 1 [enacting into law H.R. 5408 of the 106th Congress, as introduced on Oct. 6, 2000].”

Pub. L. 106-387, §1(b), Oct. 28, 2000, 114 Stat. 1549, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section [en-

acting into law H.R. 5426 of the 106th Congress, as introduced on Oct. 6, 2000].”

Pub. L. 106-377, §1(b), Oct. 27, 2000, 114 Stat. 1441, provided that: “In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section [enacting into law H.R. 5482 and 5483 of the 106th Congress, as introduced on Oct. 18, 2000].”

Pub. L. 106-346, §101(b), Oct. 23, 2000, 114 Stat. 1356, provided that: “In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section [enacting into law H.R. 5394 of the 106th Congress, as introduced on Oct. 5, 2000].”

Pub. L. 106-113, div. B, §1000(b), Nov. 29, 1999, 113 Stat. 1536, provided that: “In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section [enacting into law H.R. 3421, H.R. 3422, H.R. 3423, H.R. 3424, H.R. 3425, H.R. 3426, H.R. 3427 (as amended), H.R. 3428, and S. 1948 of the 106th Congress, as introduced on Nov. 17, 1999].”

EFFECT OF REPEAL OF SECTION 73 OF ACT JAN. 12, 1895

This section and section 112a of this title as not affected by the repeal of section 73 of act Jan. 12, 1895, ch. 23, 28 Stat. 615, which related to the same subject matter, see section 56(i) of act Oct. 31, 1951, ch. 655, 65 Stat. 729.

§ 112a. United States Treaties and Other International Agreements; contents; admissibility in evidence

(a) The Secretary of State shall cause to be compiled, edited, indexed, and published, beginning as of January 1, 1950, a compilation entitled “United States Treaties and Other International Agreements,” which shall contain all treaties to which the United States is a party that have been proclaimed during each calendar year, and all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, during each calendar year. The said United States Treaties and Other International Agreements shall be legal evidence of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and agreements, therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

(b) The Secretary of State may determine that publication of certain categories of agreements is not required, if the following criteria are met:

(1) such agreements are not treaties which have been brought into force for the United States after having received Senate advice and consent pursuant to section 2(2) of Article II of the Constitution of the United States;

(2) the public interest in such agreements is insufficient to justify their publication, because (A) as of the date of enactment of the

Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, the agreements are no longer in force,¹ (B) the agreements do not create private rights or duties, or establish standards intended to govern government action in the treatment of private individuals; (C) in view of the limited or specialized nature of the public interest in such agreements, such interest can adequately be satisfied by an alternative means; or (D) the public disclosure of the text of the agreement would, in the opinion of the President, be prejudicial to the national security of the United States; and

(3) copies of such agreements (other than those in paragraph (2)(D)), including certified copies where necessary for litigation or similar purposes, will be made available by the Department of State upon request.

(c) Any determination pursuant to subsection (b) shall be published in the Federal Register.

(d) The Secretary of State shall make publicly available through the Internet website of the Department of State each treaty or international agreement proposed to be published in the compilation entitled “United States Treaties and Other International Agreements” not later than 180 days after the date on which the treaty or agreement enters into force.

(Added Sept. 23, 1950, ch. 1001, §2, 64 Stat. 980; amended Pub. L. 103-236, title I, §138, Apr. 30, 1994, 108 Stat. 397; Pub. L. 108-458, title VII, §7121(a), Dec. 17, 2004, 118 Stat. 3807.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, referred to in subsec. (b)(2)(A), is the date of enactment of Pub. L. 103-236, which was approved Apr. 30, 1994.

AMENDMENTS

2004—Subsec. (d). Pub. L. 108-458 added subsec. (d).

1994—Pub. L. 103-236 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-458, title VII, §7122, Dec. 17, 2004, 118 Stat. 3808, provided that: “Notwithstanding any other provision of this Act [see Tables for classification], this subtitle [subtitle A (§§7101-7122) of title VII of Pub. L. 108-458, enacting sections 2228, 2732, 3922b, 4029, 7536a, and 7555 of Title 22, Foreign Relations and Intercourse, amending this section, section 112b of this title, section 1189 of Title 8, Aliens and Nationality, sections 2651a, 2656f, 4003, 7513, 7514, 7518, 7536, 7537, 7538, and 7554 of Title 22, and section 4605 of Title 50, War and National Defense, repealing section 2374 of Title 22, enacting provisions set out as notes under section 1189 of Title 8, sections 1431, 2451, 2452, 2651a, 2656, 2656f, 7501, 7511, 7513, 7514, and 7536 of Title 22, and section 4605 of Title 50, and amending provisions set out as a note under section 112b of this title] shall take effect on the date of enactment of this Act [Dec. 17, 2004].”

EFFECT OF REPEAL OF SECTION 73 OF ACT JAN. 12, 1895

This section and section 112 of this title as not affected by the repeal of section 73 of act Jan. 12, 1895, ch. 23, 28 Stat. 615, which related to the same subject mat-

¹ So in original. The comma probably should be a semicolon.