

§ 242. Duty of United States attorney to enforce law

It shall be the duty of each United States attorney, to whom satisfactory evidence of any violation of sections 237 to 242 of this title is presented, to cause appropriate proceedings to be commenced and prosecuted in the United States court having jurisdiction of such offense.

(Aug. 23, 1916, ch. 396, § 6, 39 Stat. 531; June 25, 1948, ch. 646, § 1, 62 Stat. 909.)

CHANGE OF NAME

Act June 25, 1948, eff. Sept. 1, 1948, substituted "United States attorney" for "district attorney". See section 541 of Title 28, Judiciary and Judicial Procedure.

SUBCHAPTER VII—STANDARD BASKETS AND CONTAINERS

§§ 251 to 256. Repealed. Pub. L. 90-628, § 1(a), Oct. 22, 1968, 82 Stat. 1320

Section 251, acts Aug. 31, 1916, ch. 426, § 1, 39 Stat. 673; June 11, 1934, ch. 447, § 1, 48 Stat. 930, set standards for Climax baskets for grapes and other fruits and vegetables and for mushrooms.

Section 252, act Aug. 31, 1916, ch. 426, § 2, 39 Stat. 673, set standards for standard basket or container for small fruits and vegetables.

Section 253, acts Aug. 31, 1916, ch. 426, § 3, 39 Stat. 674; June 11, 1934, c. 447, § 2, 48 Stat. 930, set penalties for failure to conform to standards.

Section 254, act Aug. 31, 1916, ch. 426, § 4, 39 Stat. 674, provided for examinations and tests by Department of Agriculture and for promulgation of rules and regulations covering allowable tolerances and variations.

Section 255, acts Aug. 31, 1916, ch. 426, § 5, 39 Stat. 674; June 25, 1948, ch. 646, § 1, 62 Stat. 909, made United States attorney responsible for commencing actions to enforce penalties.

Section 256, act Aug. 31, 1916, ch. 426, § 6, 39 Stat. 674, covered guaranty given by manufacturers or sellers of baskets as to correctness of such containers.

EFFECTIVE DATE OF REPEAL

Section 3 of Pub. L. 90-628 provided that: "This Act [repealing sections 251 to 257i of this title and amending section 1459 of this title] shall become effective 60 days after enactment [Oct. 22, 1968]."

SUBCHAPTER VIII—STANDARD HAMPERS, ROUND STAVE BASKETS, AND SPLINT BASKETS FOR FRUITS AND VEGETABLES

§§ 257 to 257i. Repealed. Pub. L. 90-628, § 1(b), Oct. 22, 1968, 82 Stat. 1320

Section 257, acts May 21, 1928, ch. 664, § 1, 45 Stat. 685; June 28, 1954, ch. 406, § 1, 68 Stat. 301; Aug. 30, 1964, Pub. L. 88-516, § 1, 78 Stat. 697, set dimensions for standard hampers and round stave baskets.

Section 257a, acts May 21, 1928, ch. 664, § 2, 45 Stat. 685; Aug. 30, 1964, Pub. L. 88-516, § 2, 78 Stat. 697, set dimensions for standard splint baskets.

Section 257b, act May 21, 1928, ch. 664, § 3, 45 Stat. 686, provided for promulgation of regulations allowing reasonable variations in hampers and baskets.

Section 257c, act May 21, 1928, ch. 664, § 4, 45 Stat. 686, required approval by Secretary of Agriculture of manufacturer's dimension specifications for hampers and baskets.

Section 257d, acts May 21, 1928, ch. 664, § 5, 45 Stat. 686; Aug. 30, 1964, Pub. L. 88-516, § 3, 78 Stat. 697, set out penalties for violations and covered guaranty given by manufacturers and sellers of hampers and baskets as to their correctness.

Section 257e, act May 21, 1928, ch. 664, § 6, 45 Stat. 686, provided for seizure of illegal hampers and baskets, and procedure covering their condemnation.

Section 257f, act May 21, 1928, ch. 664, § 7, 45 Stat. 687, allowed manufacture of hampers and baskets for foreign sale in conformity with foreign specifications.

Section 257g, acts May 21, 1928, ch. 664, § 8, 45 Stat. 687; June 25, 1948, ch. 646, § 1, 62 Stat. 909, placed upon the United States Attorney the duty to prosecute for violations of sections 257 to 257i of this title.

Section 257h, act May 21, 1928, ch. 664, § 9, 45 Stat. 687, provided for promulgation of regulations covering examinations and tests by Secretary of Agriculture.

Section 257i, act May 21, 1968, ch. 664, § 10, 45 Stat. 687, authorized Secretary of Agriculture to cooperate with other agencies in carrying out sections 257 to 257i of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 60 days after Oct. 22, 1968, see section 3 of Pub. L. 90-628, set out as a note under section 251 of this title.

SUBCHAPTER IX—STANDARD TIME

§ 260. Congressional declaration of policy; adoption and observance of uniform standard of time; authority of Secretary of Transportation

It is the policy of the United States to promote the adoption and observance of uniform time within the standard time zones prescribed by sections 261 to 264 of this title, as modified by section 265 of this title. To this end the Secretary of Transportation is authorized and directed to foster and promote widespread and uniform adoption and observance of the same standard of time within and throughout each such standard time zone.

(Pub. L. 89-387, § 2, Apr. 13, 1966, 80 Stat. 107; Pub. L. 97-449, § 2(c), Jan. 12, 1983, 96 Stat. 2439.)

AMENDMENTS

1983—Pub. L. 97-449 substituted "Secretary of Transportation" for "Interstate Commerce Commission".

EFFECTIVE DATE

Section 6 of Pub. L. 89-387 provided that: "This Act [enacting this section and sections 260a, 266, and 267 of this title and amending sections 261 to 263 of this title] shall take effect on April 1, 1967; except that if any State, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States, or any political subdivision thereof, observes daylight saving time in the year 1966, such time shall advance the standard time otherwise applicable in such place by one hour and shall commence at 2 o'clock antemeridian on the last Sunday in April of the year 1966 and shall end at 2 o'clock antemeridian on the last Sunday in October of the year 1966."

SHORT TITLE

Section 1 of Pub. L. 89-387 provided: "That this Act [enacting this section and sections 260a, 266, and 267 of this title and amending sections 261 to 263 of this title] may be cited as the 'Uniform Time Act of 1966'."

§ 260a. Advancement of time or changeover dates

(a) Duration of period; State exemption

During the period commencing at 2 o'clock antemeridian on the second Sunday of March of each year and ending at 2 o'clock antemeridian on the first Sunday of November of each year, the standard time of each zone established by

sections 261 to 264 of this title, as modified by section 265 of this title, shall be advanced one hour and such time as so advanced shall for the purposes of such sections 261 to 264, as so modified, be the standard time of such zone during such period; however, (1) any State that lies entirely within one time zone may by law exempt itself from the provisions of this subsection providing for the advancement of time, but only if that law provides that the entire State (including all political subdivisions thereof) shall observe the standard time otherwise applicable during that period, and (2) any State with parts thereof in more than one time zone may by law exempt either the entire State as provided in (1) or may exempt the entire area of the State lying within any time zone.

(b) State laws superseded

It is hereby declared that it is the express intent of Congress by this section to supersede any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for advances in time or changeover dates different from those specified in this section.

(c) Violations; enforcement

For any violation of the provisions of this section the Secretary of Transportation or his duly authorized agent may apply to the district court of the United States for the district in which such violation occurs for the enforcement of this section; and such court shall have jurisdiction to enforce obedience thereto by writ of injunction or by other process, mandatory or otherwise, restraining against further violations of this section and enjoining obedience thereto.

(Pub. L. 89-387, §3, Apr. 13, 1966, 80 Stat. 107; Pub. L. 92-267, Mar. 30, 1972, 86 Stat. 116; Pub. L. 97-449, §2(c), Jan. 12, 1983, 96 Stat. 2439; Pub. L. 99-359, §2(b), July 8, 1986, 100 Stat. 764; Pub. L. 109-58, title I, §110(a), Aug. 8, 2005, 119 Stat. 615.)

AMENDMENTS

2005—Subsec. (a). Pub. L. 109-58 substituted “second Sunday of March” for “first Sunday of April” and “first Sunday of November” for “last Sunday of October”.

1986—Subsec. (a). Pub. L. 99-359 substituted “first Sunday of April” for “last Sunday of April”.

1983—Subsec. (c). Pub. L. 97-449 substituted “Secretary of Transportation or his” for “Interstate Commerce Commission or its”.

1972—Subsec. (a). Pub. L. 92-267 authorized any State with parts thereof lying in more than one time zone to exempt by law that part of such State lying within any time zone from provisions of this subsection providing for advancement of time.

EFFECTIVE DATE OF 2005 AMENDMENT

Pub. L. 109-58, title I, §110(b), Aug. 8, 2005, 119 Stat. 615, provided that: “Subsection (a) [amending this section] shall take effect 1 year after the date of enactment of this Act [Aug. 8, 2005] or March 1, 2007, whichever is later.”

EFFECTIVE DATE OF 1986 AMENDMENT

Section 2(e) of Pub. L. 99-359 provided that: “This section [amending this section and enacting provisions set out as notes below] shall take effect 60 days after the date of enactment of this Act [July 8, 1986], except that if such effective date occurs in any calendar year after March 1, this section shall take effect on the first day of the following calendar year.”

STUDY AND REPORT ON ENERGY CONSUMPTION;
REVERSION

Pub. L. 109-58, title I, §110(c), (d), Aug. 8, 2005, 119 Stat. 615, provided that:

“(c) REPORT TO CONGRESS.—Not later than 9 months after the effective date stated in subsection (b) [set out above], the Secretary [of Energy] shall report to Congress on the impact of this section [amending this section] on energy consumption in the United States.

“(d) RIGHT TO REVERT.—Congress retains the right to revert the Daylight Saving Time back to the 2005 time schedules once the Department [of Energy] study is complete.”

CONGRESSIONAL FINDINGS; EXPANSION OF DAYLIGHT
SAVING TIME

Section 2(a) of Pub. L. 99-359 provided that: “The Congress finds—

“(1) that various studies of governmental and non-governmental agencies indicate that daylight saving time over an expanded period would produce a significant energy savings in electrical power consumption;

“(2) that daylight saving time may yield energy savings in other areas besides electrical power consumption;

“(3) that daylight saving time over an expanded period could serve as an incentive for further energy conservation by individuals, companies, and the various governmental entities at all levels of government, and that such energy conservation efforts could lead to greatly expanded energy savings; and

“(4) that the use of daylight saving time over an expanded period could have other beneficial effects on the public interest, including the reduction of crime, improved traffic safety, more daylight outdoor playtime for the children and youth of our Nation, greater utilization of parks and recreation areas, expanded economic opportunity through extension of daylight hours to peak shopping hours and through extension of domestic office hours to periods of greater overlap with the European Economic Community.”

EFFECTIVENESS OF STATE EXEMPTION IN EFFECT ON
JULY 8, 1986

Section 2(c) of Pub. L. 99-359 provided that: “Any law in effect on the date of the enactment of this Act [July 8, 1986]—

“(1) adopted pursuant to section 3(a)(2) of the Uniform Time Act of 1966 [15 U.S.C. 260a(a)(2)] by a State with parts thereof in more than one time zone, or

“(2) adopted pursuant to section 3(a)(1) of such Act by a State that lies entirely within one time zone, shall be held and considered to remain in effect as the exercise by that State of the exemption permitted by such Act [see 15 U.S.C. 260a(a)] unless that State, by law, provides that such exemption shall not apply.”

ADJUSTMENT BY GENERAL RULES OR INTERIM ACTION
WITH RESPECT TO HOURS OF OPERATION OF DAYTIME
STANDARD AMPLITUDE MODULATION BROADCAST STA-
TIONS

Section 2(d) of Pub. L. 99-359 provided that:

“(1) Notwithstanding any other law or any regulation issued under any such law, the Federal Communications Commission shall, consistent with any existing treaty or other agreement, make such adjustment by general rules, or by interim action pending such general rules, with respect to hours of operation of daytime standard amplitude modulation broadcast stations, as may be consistent with the public interest, including the public's interest in receiving interference-free service.

“(2) Such general rules, or interim action, may include variances with respect to operating power and other technical operating characteristics.

“(3) Subsequent to the adoption of such general rules, they may be varied with respect to particular stations and areas because of the exigencies in each case.”

EMERGENCY DAYLIGHT SAVING TIME ENERGY
CONSERVATION

Pub. L. 93-182, Dec. 15, 1973, 87 Stat. 707, as amended by Pub. L. 93-434, Oct. 5, 1974, 88 Stat. 1209, enacted the Emergency Daylight Saving Time Energy Conservation Act of 1973, which extended daylight saving time. The act was effective at 2 a.m. on the fourth Sunday which occurred after Dec. 15, 1973 and terminated at 2 a.m. on the last Sunday of April 1975.

EX. ORD. NO. 11751. EXEMPTIONS FROM DAYLIGHT SAVING
TIME AND REALIGNMENTS OF TIME ZONE LIMITS

Ex. Ord. No. 11751, Dec. 15, 1973, 38 F.R. 34725, provided:

By virtue of the authority vested in me by section 3(b) of the Emergency Daylight Savings Time Energy Conservation Act of 1973 (Public Law 93-182) (hereinafter "the Act") [formerly set out above], section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. The Secretary of Transportation (hereinafter "the Secretary") is hereby designated and empowered to exercise the authority vested in me by section 3(b) of the Act [formerly set out above] to grant an exemption from section 3(a) of the Act (which establishes daylight saving time as standard time), or a realignment of a time zone limit, pursuant to a proclamation of a Governor of a State finding that the exemption or realignment is necessary to avoid undue hardship or to conserve fuel in the State or a part thereof.

SEC. 2. In deciding to grant or deny an exemption or realignment, the Secretary shall consider, among other things, the policy of the United States, as expressed in sections 2 and 4 of the Uniform Time Act of 1966 (80 Stat. 107, 108; 15 U.S.C. 260, 261), to promote the adoption and observance of uniform time within the standard time zones of the United States and the convenience of commerce, as well as possible energy savings, undue hardship to large segments of the population, and the possible impact on the success of and cooperation with the national energy conservation program.

SEC. 3. In carrying out his responsibilities under this order, the Secretary shall, as he deems necessary, consult with the Department of Health, Education, and Welfare, the Federal Energy Office (or any agency which hereafter may succeed to its functions), and any other interested agency and he may call upon those agencies for information and advice. Each interested department or agency shall assist the Secretary, as necessary, to carry out the provisions of this order.

RICHARD NIXON.

§ 261. Zones for standard time; interstate or foreign commerce

(a) In general

For the purpose of establishing the standard time of the United States, the territory of the United States shall be divided into nine zones in the manner provided in this section. Except as provided in section 260a(a) of this title, the standard time of the first zone shall be Coordinated Universal Time retarded by 4 hours; that of the second zone retarded by 5 hours; that of the third zone retarded by 6 hours; that of the fourth zone retarded by 7 hours; that of the fifth zone retarded¹ 8 hours; that of the sixth zone retarded by 9 hours; that of the seventh zone retarded by 10 hours; that of the eighth zone retarded by 11 hours; and that of the ninth zone shall be Coordinated Universal Time advanced by 10 hours. The limits of each zone shall be defined by an order of the Secretary of Transportation, having regard for the convenience of

commerce and the existing junction points and division points of common carriers engaged in interstate or foreign commerce, and any such order may be modified from time to time. As used in sections 261 to 264 of this title, the term "interstate or foreign commerce" means commerce between a State, the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States and any place outside thereof.

(b) Coordinated Universal Time defined

In this section, the term "Coordinated Universal Time" means the time scale maintained through the General Conference of Weights and Measures and interpreted or modified for the United States by the Secretary of Commerce in coordination with the Secretary of the Navy.

(Mar. 19, 1918, ch. 24, §1, 40 Stat. 450; Pub. L. 89-387, §4(a), Apr. 13, 1966, 80 Stat. 108; Pub. L. 97-449, §2(c), Jan. 12, 1983, 96 Stat. 2439; Pub. L. 106-564, §1(a), Dec. 23, 2000, 114 Stat. 2811; Pub. L. 110-69, title III, §3013(c)(3), Aug. 9, 2007, 121 Stat. 598.)

AMENDMENTS

2007—Pub. L. 110-69 designated existing provisions as subsec. (a), inserted heading, substituted second sentence for former second sentence which read as follows: "Except as provided in section 260a(a) of this title, the standard time of the first zone shall be based on the mean solar time of the sixtieth degree of longitude west from Greenwich; that of the second zone on the seventy-fifth degree; that of the third zone on the ninety-fifth degree; that of the fourth zone on the one hundred and fifth degree; that of the fifth zone on the one hundred and twentieth degree; that of the sixth zone on the one hundred and thirty-fifth degree; that of the seventh zone on the one hundred and fiftieth degree; that of the eighth zone on the one hundred and sixty-fifth degree; and that of the ninth zone on the one hundred and fiftieth meridian of longitude east from Greenwich..", and added subsec. (b).

2000—Pub. L. 106-564, in first sentence, substituted "nine zones" for "eight zones" and, in second sentence, substituted "; that of the eighth" for "; and that of the eighth" and inserted before period at end "; and that of the ninth zone on the one hundred and fiftieth meridian of longitude east from Greenwich."

1983—Pub. L. 97-449 substituted "Secretary of Transportation" for "Interstate Commerce Commission".

1966—Pub. L. 89-387 increased the number of time zones from five for the territory of continental United States to eight for the territory of the United States, inserted the "exception phrase", substituted "solar" for "astronomical" time, established the first zone on basis of the 60th degree of longitude west from Greenwich, redesignated as the second through the fifth zones based on the 75th, 90th, 105th, and 120th degrees former zones one through four based on such degrees, established the sixth zone based on the 135th degree, redesignated as the seventh zone based on the 150th degree former fifth zone based on such degree, and established the eighth zone based on the 165th degree, substituted "interstate or foreign commerce" for "commerce between the several States and and with foreign nations" and defined "interstate or foreign commerce".

SHORT TITLE

Act Mar. 19, 1918, ch. 24, 40 Stat. 450, as amended, which is classified to sections 261 to 264 of this title, is popularly known as the "Calder Act".

REPEALS

Section 5 of act Mar. 19, 1918, repealed all conflicting acts and parts of acts.

¹ So in original. Probably should be followed by "by".