

## REFERENCES IN TEXT

Section 35(b) of this title, referred to in subsec. (b), was redesignated section 35(a) by Pub. L. 103-355, title VII, § 7201(1), Oct. 13, 1994, 108 Stat. 3378.

## CODIFICATION

“Section 553 of title 5”, “subchapter II of chapter 5, and chapter 7, of title 5”, and “chapter 7 of title 5” substituted for “section 1003 of title 5”, “such Act [meaning the Administrative Procedure Act]”, and “section 1009 of title 5”, respectively, on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

## AMENDMENTS

1994—Subsec. (b). Pub. L. 103-355, § 7201(2), substituted “supplier of materials” for “manufacturer of, or regular dealer in, materials”.

Subsec. (c). Pub. L. 103-355, § 7201(3), struck out “‘regular dealer’, ‘manufacturer’,” before “and ‘open market’”.

## EFFECTIVE DATE OF 1994 AMENDMENT

For effective date and applicability of amendment by Pub. L. 103-355, see section 10001 of Pub. L. 103-355, set out as a note under section 251 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 25 section 450j.

**§ 43b. Manufacturers and regular dealers**

(a) The Secretary of Labor may prescribe in regulations the standards for determining whether a contractor is a manufacturer of or a regular dealer in materials, supplies, articles, or equipment to be manufactured or used in the performance of a contract entered into by any executive department, independent establishment, or other agency or instrumentality of the United States, or by the District of Columbia, or by any corporation all the stock of which is beneficially owned by the United States, for the manufacture or furnishing of materials, supplies, articles, and equipment.

(b) Any interested person shall have the right of judicial review of any legal question regarding the interpretation of the terms “regular dealer” and “manufacturer”, as defined pursuant to subsection (a) of this section.

(June 30, 1936, ch. 881, § 11, as added Oct. 13, 1994, Pub. L. 103-355, title VII, § 7201(4), 108 Stat. 3378.)

## CODIFICATION

Another section 11 of act June 30, 1936, is classified to section 44 of this title.

## EFFECTIVE DATE

For effective date and applicability of section, see section 10001 of Pub. L. 103-355, set out as an Effective Date of 1994 Amendment note under section 251 of this title.

**§ 44. Separability of Walsh-Healey provisions**

If any provision of sections 35 to 45 of this title, or the application thereof to any persons or circumstances, is held invalid, the remainder of said sections, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

(June 30, 1936, ch. 881, § 11, formerly § 10, 49 Stat. 2039; renumbered June 30, 1952, ch. 530, title III, § 301, 66 Stat. 308.)

## CODIFICATION

Another section 11 of act June 30, 1936, is classified to section 43b of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 25 section 450j.

**§ 45. Effective date of Walsh-Healey provisions; exception as to representations with respect to minimum wages**

Sections 35 to 45 of this title shall apply to all contracts entered into pursuant to invitations for bids issued on or after ninety days from June 30, 1936: *Provided, however,* That the provisions requiring the inclusion of representations with respect to minimum wages shall apply only to purchases or contracts relating to such industries as have been the subject matter of a determination by the Secretary of Labor.

(June 30, 1936, ch. 881, § 12, formerly § 11, 49 Stat. 2039; renumbered June 30, 1952, ch. 530, title III, § 301, 66 Stat. 308.)

## CODIFICATION

Another section 12 of act June 30, 1936, is set out as a Short Title note under section 35 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 37, 38, 39, 40, 41, 42, 43, 43a, 44, 356 of this title; title 10 section 2304; title 25 section 450j; title 39 section 410.

**§ 46. Committee for Purchase From People Who Are Blind or Severely Disabled****(a) Establishment**

There is established a committee to be known as the Committee for Purchase From People Who Are Blind or Severely Disabled (hereafter in sections 46 to 48c of this title referred to as the “Committee”). The Committee shall be composed of fifteen members appointed as follows:

(1) The President shall appoint as a member one officer or employee from each of the following: The Department of Agriculture, the Department of Defense, the Department of the Army, the Department of the Navy, the Department of the Air Force, the Department of Health and Human Services, the Department of Commerce, the Department of Veterans Affairs, the Department of Justice, the Department of Labor, and the General Services Administration. The head of each such department and agency shall nominate one officer or employee in his department or agency for appointment under this paragraph.

(2)(A) The President shall appoint one member from persons who are not officers or employees of the Government and who are conversant with the problems incident to the employment of the blind.

(B) The President shall appoint one member from persons who are not officers or employees of the Government and who are conversant with the problems incident to the employment of other severely handicapped individuals.

(C) The President shall appoint one member from persons who are not officers or employees of the Government and who represent blind individuals employed in qualified nonprofit agencies for the blind.