and section 57a of Title 15, Commerce and Trade] may be cited as the '2005 District of Columbia Omnibus Authorization Act'.''

SHORT TITLE OF 2004 AMENDMENTS

Pub. L. 108–496, §1, Dec. 23, 2004, 118 Stat. 4001, provided that: ''This Act [enacting chapters 89A and 89B of this title, amending section 1005 of Title 39, Postal Service, and enacting provisions set out as a note under section 8951 of this title] may be cited as the 'Federal Employee Dental and Vision Benefits Enhancement Act of 2004'.''

Pub. L. 108–469, §1(a), Dec. 21, 2004, 118 Stat. 3891, provided that: ''This Act [amending sections 8351, 8432, 8433, 8439, and 8440a to 8440e of this title and enacting provisions set out as a note under section 8350 of this title] may be cited as the 'Thrift Savings Plan Open Elections Act of 2004'.''

Pub. L. 108–411, §1(a), Oct. 30, 2004, 118 Stat. 2305, provided that: ''This Act [enacting sections 4121, 5550b, 5753, and 5754 of this title, amending sections 4103, 4505a, 5302, 5304, 5305, 5314, 5334, 5361, 5363, 5365, 5377, and 6303 of this title, repealing former sections 5753 and 5754 of this title, enacting provisions set out as notes under sections 5304, 5363, 5550b, 5753, and 6303 of this title, and amending provisions set out as a note under section 5305 of this title] may be cited as the 'Federal Workforce Flexibility Act of 2004'.''

Pub. L. 108–401, §1, Oct. 30, 2004, 118 Stat. 2255, provided that: ''This Act [amending sections 591, 594, and 596 of this title] may be cited as the 'Federal Regulatory Improvement Act of 2004'.''

Pub. L. 108–201, §1, Feb. 24, 2004, 118 Stat. 461, provided that: ''This Act [enacting chapter 98 of this title, amending section 2473 of Title 42, The Public Health and Welfare, and enacting provisions set out as a note under section 2473 of Title 42] may be cited as the 'NASA Flexibility Act of 2004'.''

SHORT TITLE OF 2003 AMENDMENTS

Pub. L. 108–196, §1, Dec. 19, 2003, 117 Stat. 2896, provided that: ''This Act [enacting provisions set out as a note under section 3371 of this title] may be cited as the 'Federal Law Enforcement Pay and Benefits Parity Act of 2003'.''

Pub. L. 108–123, §1, Nov. 11, 2003, 117 Stat. 1345, provided that: ''This Act [amending section 5379 of this title] may be cited as the 'Federal Employee Student Loan Assistance Act'.''

Pub. L. 108–44, §1, July 3, 2003, 117 Stat. 842, provided that: ''This Act [enacting section 3114 of this title] may be cited as the 'Accountant, Compliance, and Enforcement Staffing Act of 2003'.''

Pub. L. 108–18, §1, Apr. 23, 2003, 117 Stat. 624, provided that: ''This Act [amending sections 8331, 8334, and 8348 of this title, enacting provisions set out as notes under sections 8334 and 8348 of this title and preceding section 2001 of Title 39, Postal Service, and repealing provisions set out as a note under section 8348 of this title] may be cited as the 'Postal Civil Service Retirement System Funding Reform Act of 2003'.''

SHORT TITLE OF 2002 AMENDMENT

Pub. L. 107–296, title XIII, §1301, Nov. 25, 2002, 116 Stat. 2287, provided that: ''This title [enacting chapter 14 of this title, subchapter II of chapter 35 of this title, and section 3319 of this title, amending sections 1103, 3111, 3304, 3393, 3592 to 3594, 4107, 5307, 7701, 7905, 8336, 8339, 8414, and 8421 of this title, sections 1115 and 1116 of Title 31, Money and Finance, and section 1902 of Title 50, War and National Defense, repealing section 3393a of this title, enacting provisions set out as notes under sections 1103, 1401, 3301, 3521, 3592, 3593, and 8336 of this title, and repealing provisions set out as notes under sections 8336 and 8414 of this title] may be cited as the 'Chief Human Capital Officers Act of 2002'.''

SHORT TITLE OF 2001 AMENDMENT

Pub. L. 107–27, §1, Aug. 20, 2001, 115 Stat. 207, provided that: ''This Act [amending sections 8335 and 8425 of this title] may be cited as the 'Federal Firefighters Retirement Age Fairness Act'.''

PROHIBITION AGAINST CONSTRUCTION THAT WOULD RENDER APPLICABLE TO THE DEPARTMENT OF TRANSPORTATION PROVISIONS OF LAW INCONSISTENT WITH PUB. L. 89–670 CREATING THE DEPARTMENT OF TRANSPORTATION

Section 10(c) of Pub. L. 89–670, which provided that the amendment made to this section by section 10(b) of Pub. L. 89–670 was not to be construed to make applicable to the Department any provision of law inconsistent with Pub. L. 89–670, was repealed by Pub. L. 104–287, §7(5), Oct. 11, 1996, 110 Stat. 3400.

§ 102. Military departments

The military departments are:
The Department of the Army.
The Department of the Navy.
The Department of the Air Force.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 378.)

HISTORICAL AND REVISION NOTES

The section is supplied to avoid the necessity for defining ''military departments'' each time it is used in this title. See section 101(7) of title 10.

§ 103. Government corporation

For the purpose of this title—

(1) ''Government corporation'' means a corporation owned or controlled by the Government of the United States; and

(2) ''Government controlled corporation'' does not include a corporation owned by the Government of the United States.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 378.)

HISTORICAL AND REVISION NOTES

The section is supplied to avoid the necessity for defining ''Government corporation'' and ''Government controlled corporation'' each time it is used in this title.

§ 104. Independent establishment

For the purpose of this title, ''independent establishment'' means—

(1) an establishment in the executive branch (other than the United States Postal Service or the Postal Regulatory Commission) which is not an Executive department, military department, Government corporation, or part thereof, or part of an independent establishment; and

(2) the Government Accountability Office.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 379; Pub. L. 91–375, §6(c)(2), Aug. 12, 1970, 84 Stat. 775; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 109–435, title VI, §604(b), Dec. 20, 2006, 120 Stat. 3241.)

HISTORICAL AND REVISION NOTES

The section is supplied to avoid the necessity for defining ''independent establishment'' each time it is used in this title.

Certain agencies are not independent establishments under the definition since they are constituent agencies or parts of an independent establishment. However, these agencies would continue to be subject to the provisions of this title applicable to the independent establishment of which they are a constituent or part. Also, the definition does not expand or abridge any rights or authority possessed by these agencies as no

substantive changes are intended, see section 7(a) of the bill.

AMENDMENTS

2006—Par. (1). Pub. L. 109–435 substituted ''Postal Regulatory Commission'' for ''Postal Rate Commission''.

2004—Par. (2). Pub. L. 108–271 substituted ''Government Accountability Office'' for ''General Accounting Office''.

1970—Par. (1). Pub. L. 91–375 inserted ''(other than the United States Postal Service or the Postal Rate Commission)'' after ''executive branch''.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91–375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see section 15(a) of Pub. L. 91–375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

§ 105. Executive agency

For the purpose of this title, ''Executive agency'' means an Executive department, a Government corporation, and an independent establishment.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 379.)

HISTORICAL AND REVISION NOTES

The section is supplied to avoid the necessity for defining ''Executive agency'' each time it is used in this title.

CHAPTER 3—POWERS

Sec.
301. Departmental regulations.
302. Delegation of authority.
303. Oaths to witnesses.
304. Subpenas.
305. Systematic agency review of operations.
306. Agency strategic plans.

AMENDMENTS

2011—Pub. L. 111–352, § 13(a), Jan. 4, 2011, 124 Stat. 3882, added item 306 and struck out former item 306 ''Strategic plans''.

1993—Pub. L. 103–62, § 11(a), Aug. 3, 1993, 107 Stat. 295, added item 306.

§ 301. Departmental regulations

The head of an Executive department or military department may prescribe regulations for the government of his department, the conduct of its employees, the distribution and performance of its business, and the custody, use, and preservation of its records, papers, and property. This section does not authorize withholding information from the public or limiting the availability of records to the public.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 379.)

HISTORICAL AND REVISION NOTES

Derivation	*U.S. Code*	*Revised Statutes and Statutes at Large*
.....	5 U.S.C. 22.	R.S. § 161. Aug. 12, 1958, Pub. L. 85–619, 72 Stat. 547.

The words ''Executive department'' are substituted for ''department'' as the definition of ''department'' applicable to this section is coextensive with the definition of ''Executive department'' in section 101. The words ''not inconsistent with law'' are omitted as surplusage as a regulation which is inconsistent with law is invalid.

The words ''or military department'' are inserted to preserve the application of the source law. Before enactment of the National Security Act Amendments of 1949 (63 Stat. 578), the Department of the Army, the Department of the Navy, and the Department of the Air Force were Executive departments. The National Security Act Amendments of 1949 established the Department of Defense as an Executive Department including the Department of the Army, the Department of the Navy, and the Department of the Air Force as military departments, not as Executive departments. However, the source law for this section, which was in effect in 1949, remained applicable to the Secretaries of the military departments by virtue of section 12(g) of the National Security Act Amendments of 1949 (63 Stat. 591), which provided:

''All laws, orders, regulations, and other actions relating to the National Military Establishment, the Departments of the Army, the Navy, or the Air Force, or to any officer or activity of such establishment or such departments, shall, except to the extent inconsistent with the provisions of this Act, have the same effect as if this Act had not been enacted; but, after the effective date of this Act, any such law, order, regulation, or other action which vested functions in or otherwise related to any officer, department, or establishment, shall be deemed to have vested such function in or relate to the officer, or department, executive or military, succeeding the officer, department, or establishment in which such function was vested. For purposes of this subsection the Department of Defense shall be deemed the department succeeding the National Military Establishment, and the military departments of Army, Navy, and Air Force shall be deemed the departments succeeding the Executive Departments of Army, Navy, and Air Force.''

This section was part of title IV of the Revised Statutes. The Act of July 26, 1947, ch. 343, § 201(d), as added Aug. 10, 1949, ch. 412, § 4, 63 Stat. 579 (former 5 U.S.C. 171–1), which provides ''Except to the extent inconsistent with the provisions of this Act [National Security Act of 1947], the provisions of title IV of the Revised Statutes as now or hereafter amended shall be applicable to the Department of Defense'' is omitted from this title but is not repealed.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

PLAIN WRITING IN GOVERNMENT DOCUMENTS

Pub. L. 111–274, Oct. 13, 2010, 124 Stat. 2861, provided that:

''SECTION 1. SHORT TITLE.

''This Act may be cited as the 'Plain Writing Act of 2010'.

''SEC. 2. PURPOSE.

''The purpose of this Act is to improve the effectiveness and accountability of Federal agencies to the public by promoting clear Government communication that the public can understand and use.

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) AGENCY.—The term 'agency' means an Executive agency, as defined under section 105 of title 5, United States Code.

''(2) COVERED DOCUMENT.—The term 'covered document'—

''(A) means any document that—

''(i) is necessary for obtaining any Federal Government benefit or service or filing taxes;

''(ii) provides information about any Federal Government benefit or service; or

''(iii) explains to the public how to comply with a requirement the Federal Government administers or enforces;