(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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 4 section 7; title 6 section 101; title 15 sections 638, 3703; title 18 section 6001; title 26 section 6050M; title 28 sections 530C, 530D; title 29 sections 203, 633a; title 31 section 1344; title 35 section 201; title 38 section 4303; title 41 sections 48b, 403, 601; title 42 sections 2000e–16, 10156, 10222.

§ 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 20 section 1155; title 26 section 6402; title 31 sections 1344, 3332; title 42 section 12651.

§ 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 Rate Commission) which is not an Executive department, military department, Government corporation, or part thereof, or part of an independent establishment; and

(2) the General Accounting Office.

(Pub. L. 89–554, Sept. 6, 1966, 80 Stat. 379; Pub. L. 91–375, § 6(c)(2), Aug. 12, 1970, 84 Stat. 775.)

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

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 22 sections 6203, 6563; title 41 sections 403, 601.

§ 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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 306, 3521, 5372b, 5948 of this title; title 2 sections 130g, 130h, 2002, 2022; title 6 section 101; title 7 sections 2008m, 2132; title 10 section 2014; title 15 sections 638, 3301, 3703, 4901, 5802, 6617; title 16 section 2602; title 22 sections 2685, 3641, 6502, 6765; title 28 sections 530C, 530D; title 29 sections 203, 633a; title 31 section 1353; title 35 section 201; title 38 sections 4211, 4303; title 39 section 416; title 40 section 17501; title 41 section 48b; title 42 sections 2000e–16, 4071, 4902, 6361, 6964, 7911, 8241, 8802, 10101; title 43 section 2003; title 50 sections 409a, 1601.

CHAPTER 3—POWERS

AMENDMENTS

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.