

**TITLE 15 - COMMERCE AND TRADE**  
**CHAPTER 30 - HAZARDOUS SUBSTANCES**

**§ 1276. Congressional veto of hazardous substances regulations**

**(a) Transmission to Congress**

The Commission shall transmit to the Secretary of the Senate and the Clerk of the House of Representatives a copy of any regulation promulgated by the Commission under section 1261 (q)(1) of this title or subsection (e) of section 1262 of this title.

**(b) Disapproval by concurrent resolution**

Any regulation specified in subsection (a) of this section shall not take effect if—

(1) within the ninety calendar days of continuous session of the Congress which occur after the date of the promulgation of such regulation, both Houses of the Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows (with the blank spaces appropriately filled): “That the Congress disapproves the regulation which was promulgated under the Federal Hazardous Substances Act by the Consumer Product Safety Commission with respect to \_\_\_\_\_ and which was transmitted to the Congress on \_\_\_\_\_ and disapproves the regulation for the following reasons: \_\_\_\_\_.”; or

(2) within the sixty calendar days of continuous session of the Congress which occur after the date of the promulgation of such regulation, one House of the Congress adopts such concurrent resolution and transmits such resolution to the other House and such resolution is not disapproved by such other House within the thirty calendar days of continuous session of the Congress which occur after the date of such transmittal.

**(c) Presumptions from Congressional action or inaction**

Congressional inaction on, or rejection of, a concurrent resolution of disapproval under this section shall not be construed as an expression of approval of the regulation involved, and shall not be construed to create any presumption of validity with respect to such regulation.

**(d) Continuous session of Congress**

For purposes of this section—

(1) continuity of session is broken only by an adjournment of the Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the periods of continuous session of the Congress specified in subsection (b) of this section.

(Pub. L. 86–613, § 21, as added Pub. L. 97–35, title XII, § 1207(c), Aug. 13, 1981, 95 Stat. 718; amended Pub. L. 110–314, title II, § 204(b)(4)(H), Aug. 14, 2008, 122 Stat. 3042.)

**References in Text**

The Federal Hazardous Substances Act, referred to in subsec. (b), is Pub. L. 86–613, July 12, 1960, 74 Stat. 372, as amended, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1261 of this title and Tables.

**Amendments**

2008—Pub. L. 110–314, which directed the substitution of “Commission” for “Consumer Product Safety Commission” in this section, was executed by making the substitution in subsec. (a), before “shall transmit”, but not in subsec. (b)(1), to reflect the probable intent of Congress.

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*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

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### **Effective Date**

Section applicable with respect to consumer product safety rules under chapter 47 of this title and regulations under this chapter and chapter 25 of this title promulgated after Aug. 13, 1981, see section 1215 of Pub. L. 97-35, set out as an Effective Date of 1981 Amendment note under section 2052 of this title.