

LII > U.S. Code > Title 5 > PART III > Subpart A > CHAPTER 29  
> SUBCHAPTER I > **§ 2902**

Quick search by citation:

**Title**

**Section**

Go!

# 5 U.S. Code § 2902 - Commission; where recorded

U.S. Code    Notes

**(a)** Except as provided by subsections (b) and (c) of this section, the Secretary of State shall make out and record, and affix the seal of the United States to, the commission of an officer appointed by the President. The seal of the United States may not be affixed to the commission before the commission has been signed by the President.

**(b)** The commission of an officer in the civil service or uniformed services under the control of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Defense, the Secretary of a military department, the Secretary of the

Interior, the Secretary of Homeland Security, or the Secretary of the Treasury shall be made out and recorded in the department in which he is to serve under the seal of that department. The departmental seal may not be affixed to the commission before the commission has been signed by the President.

**(c)** The commissions of judicial officers and United States attorneys and marshals, appointed by the President, by and with the advice and consent of the Senate, and other commissions which before August 8, 1888, were prepared at the Department of State on the requisition of the Attorney General, shall be made out and recorded in the Department of Justice under the seal of that department and countersigned by the Attorney General. The departmental seal may not be affixed to the commission before the commission has been signed by the President.

([Pub. L. 89-554](#), Sept. 6, 1966, [80 Stat. 411](#); [Pub. L. 94-183](#), § 2(3), Dec. 31, 1975, [89 Stat. 1057](#); [Pub. L. 109-241](#), title IX, § 902(a)(2), July 11, 2006, [120 Stat. 566](#).)



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