

(c) The Secretary of Defense shall ensure that actions taken pursuant to the authority delegated by this Section are accounted for as required by Section 401 of the National Emergencies Act (50 U.S.C. 1641).

SEC. 3. The authority delegated to the Secretary of Defense by this Order may be redelegated to the Deputy Secretary of Defense, any of the Assistant Secretaries of Defense, and to any of the Secretaries of the military departments who may further subdelegate such authority to subordinates who are appointed to their office by the President with the advice and consent of the Senate.

SEC. 4. All actions taken by, for, or on behalf of the President with respect to the functions delegated by this Order, which actions would be valid if taken pursuant to this Order, are ratified.

SEC. 5. (a) Executive Order No. 10621, as amended [set out above], is further amended by revoking subsections (g), (h), (j), (k), (l), (m), and (n) of Section 1 thereof.

(b) Executive Order No. 11390, as amended [set out above], is further amended by revoking subsections 2, 3, 9, 12, and 15 of Section 1 thereof.

(c) Executive Order No. 12239 is revoked.

RONALD REAGAN.

EX. ORD. NO. 12781. DELEGATION OF FUNCTIONS AND AUTHORITIES, DEVELOPMENT OF REQUIREMENTS AND REGULATIONS, AND CORRECTION OF TITLE

Ex. Ord. No. 12781, Nov. 20, 1991, 56 F.R. 59203, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 3603 of the Financial Reports Act of 1988 (22 U.S.C. 5351 *et seq.*) [22 U.S.C. 5353], section 274A(d)(2) and (4) of the Immigration and Nationality Act ("Act"), as amended (8 U.S.C. 1324a(d)(2) and (4)), sections 4561, 6082, and 9561 of title 10 of the United States Code, the Act of June 14, 1987 [1897], ch. 2, 30 Stat. 11, 36 (16 U.S.C. 473), section 301 of title 3 of the United States Code, and in order to: (1) delegate functions concerning discussions with foreign governments to improve access by U.S. banking and financial organizations; (2) delegate authority concerning a national employment verification system; (3) delegate authority concerning the development of requirements and regulations for a uniform military ration; and (4) correct the title of the Nez Perce National Forest, it is hereby ordered as follows:

SECTION 1. *Functions Concerning Discussions with Foreign Governments to Improve Access by U.S. Banking and Financial Organizations.* The functions vested in the President by section 3603 of the Financial Reports Act of 1988 (22 U.S.C. 5353) are hereby delegated to the Secretary of the Treasury. This delegation is not in derogation of, and shall not affect, the existing authorities of the United States Trade Representative.

SEC. 2. *Authority Concerning the Employment Verification System.* The authority conferred upon the President by section 274A(d)(4) of the Act [8 U.S.C. 1324a(d)(4)], to undertake demonstration projects of different changes in the requirements of the employment verification system, is delegated to the Attorney General. Demonstration projects shall be conducted consistent with the restrictions in section 274A(d)(2) of the Act and shall not extend for a period longer than 3 years. This authority may be redelegated.

SEC. 3. *Authority, Requirements, and Regulations Concerning a Uniform Military Ration.*

(a) *Authority.* The Secretary of Defense is hereby designated and empowered to exercise, without the approval, ratification, or other action by the President, the authority conferred upon the President by section 4561(a), sections 6082(a) and (d), and section 9561(a) of title 10 of the United States Code. Under this authority the Secretary may prescribe a uniform military ration applicable to the Army, Navy, and Air Force.

(b) *Requirements.* (1) *Components and Quantities.* The components and the quantities of the uniform military ration shall reflect military member preferences and

satisfy nutritional requirements. (2) *Monetary Value.* The monetary value of the uniform military ration shall be equal to the monetary value of the ration in effect on the day before the effective date of this order.

(3) *Index.* The Secretary of Defense shall establish, as of the effective date of this order, an index composed of a representative market basket of items equal in value to the ration value. Subsequent to the effective date of this order, and based upon the changing prices of food components in the index, the Secretaries of the military departments shall periodically redetermine the monetary value of the ration. The Secretary of Defense shall review the index periodically, but not less than once a year, to ensure that it reflects changes in food service technology, scientific advances in nutrition, the requirements of the Armed Forces of the United States, and the food preferences of the enlisted members. Increases or decreases in the monetary value of the ration that result from changes in the composition of the food items making up the index shall not exceed 2 percent of the ration value annually.

(c) *Regulations.* Under regulations of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are authorized, for their respective military departments, to prescribe the issue of special allowances and such special or supplemental rations, defined by component, quantity, or monetary value, as they may consider appropriate. Executive Order No. 11339 of March 28, 1967, is hereby revoked.

SEC. 4. *Correction of Title of the Nez Perce National Forest.* Executive Order No. 854 of June 26, 1908, is hereby amended by retitling the "Nezperce National Forest" the "Nez Perce National Forest."

SEC. 5. This order shall take effect immediately.

GEORGE BUSH.

§ 302. Scope of delegation of functions

The authority conferred by this chapter shall apply to any function vested in the President by law if such law does not affirmatively prohibit delegation of the performance of such function as herein provided for, or specifically designate the officer or officers to whom it may be delegated. This chapter shall not be deemed to limit or derogate from any existing or inherent right of the President to delegate the performance of functions vested in him by law, and nothing herein shall be deemed to require express authorization in any case in which such an official would be presumed in law to have acted by authority or direction of the President.

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 31 section 1537.

§ 303. Definitions

As used in this chapter, the term "function" embraces any duty, power, responsibility, authority, or discretion vested in the President or other officer concerned, and the terms "perform" and "performance" may be construed to mean "exercise".

(Added Oct. 31, 1951, ch. 655, § 10, 65 Stat. 712.)

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

For similar provisions contained in prior law, and saving clause in connection therewith, see note preceding section 301 of this title.

CHAPTER 5—EXTENSION OF CERTAIN RIGHTS AND PROTECTIONS TO PRESIDENTIAL OFFICES

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
401. Definitions.
402. Application of laws.

SUBCHAPTER II—EXTENSION OF RIGHTS AND PROTECTIONS

PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

411. Rights and protections under title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and title I of the Americans with Disabilities Act of 1990.
412. Rights and protections under the Family and Medical Leave Act of 1993.
413. Rights and protections under the Fair Labor Standards Act of 1938.
414. Rights and protections under the Employee Polygraph Protection Act of 1988.
415. Rights and protections under the Worker Adjustment and Retraining Notification Act.
416. Rights and protections relating to veterans' employment and reemployment.
417. Prohibition of intimidation or reprisal.

PART B—PUBLIC ACCESS PROVISIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

421. Rights and protections under the Americans With Disabilities Act of 1990.¹

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

425. Rights and protections under the Occupational Safety and Health Act of 1970; procedures for remedy of violations.

PART D—LABOR-MANAGEMENT RELATIONS

431. Application of chapter 71 of title 5, relating to Federal service labor-management relations; procedures for remedy of violations.

PART E—GENERAL

435. Generally applicable remedies and limitations.

SUBCHAPTER III—ADMINISTRATIVE AND JUDICIAL DISPUTE RESOLUTION PROCEDURES

451. Procedure for consideration of alleged violations.
452. Counseling and mediation.
453. Election of proceeding.
454. Appropriate agencies.
455. Effect of failure to issue regulations.
456. Confidentiality.

SUBCHAPTER IV—EFFECTIVE DATE

471. Effective date.

EFFECTIVE DATE OF CHAPTER

Chapter effective Oct. 1, 1997, except as otherwise provided, see section 471 of this title.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in title 28 sections 1296, 1346, 1413, 3901, 3902, 3903, 3904, 3905, 3906, 3907.

¹ So in original. Does not conform to section catchline.

SUBCHAPTER I—GENERAL PROVISIONS

§ 401. Definitions.

(a) IN GENERAL.—Except as otherwise specifically provided in this chapter, as used in this chapter:

(1) BOARD.—The term “Board” means the Merit Systems Protection Board under chapter 12 of title 5.

(2) COVERED EMPLOYEE.—The term “covered employee” means any employee of an employing office.

(3) EMPLOYEE.—The term “employee” includes an applicant for employment and a former employee.

(4) EMPLOYING OFFICE.—The term “employing office” means—

(A) each office, agency, or other component of the Executive Office of the President;

(B) the Executive Residence at the White House; and

(C) the official residence (temporary or otherwise) of the Vice President.

(b) DEFINITIONS RELATING TO CERTAIN MATTERS.—For purposes of applying this chapter with respect to any practice or other matter—

(1) to which section 411 relates, the terms “employing office” and “covered employee” shall each be considered to have the meaning given to the term by such section;

(2) to which section 412 relates, the term “covered employee” means a covered employee described in section 412(a)(2)(B);

(3) to which section 413 relates, the term “covered employee” excludes interns and volunteers, as described in section 413(a)(2); and

(4) to which section 416 relates, the term “covered employee” means a covered employee described in section 416(a)(2).

(Added Pub. L. 104-331, §2(a), Oct. 26, 1996, 110 Stat. 4054.)

SHORT TITLE

Section 1(a) of Pub. L. 104-331 provided that: “This Act [enacting this section and sections 402, 411 to 417, 421, 425, 431, 435, 451 to 456, and 471 of this title and sections 1296, 1413, and 3901 to 3908 of Title 28, Judiciary and Judicial Procedure, amending sections 1346 and 2402 of Title 28, repealing section 1219 of Title 2, The Congress, and enacting provisions set out as notes under this section, section 1219 of Title 2, and section 1296 of Title 28] may be cited as the ‘Presidential and Executive Office Accountability Act.’”

REGULATIONS

Section 2(b) of Pub. L. 104-331 provided that: “Appropriate measures shall be taken to ensure that—

“(1) any regulations required to implement section 411 of title 3, United States Code, shall be in effect by October 1, 1997; and

“(2) any other regulations needed to implement chapter 5 of title 3, United States Code, shall be in effect as soon as practicable, but not later than October 1, 1998.”

APPLICABILITY OF FUTURE EMPLOYMENT LAWS

Section 4 of Pub. L. 104-331 provided that:

“(a) IN GENERAL.—Each provision of Federal law that is made applicable to the legislative branch under section 102 of the Congressional Accountability Act of 1995 (2 U.S.C. 1302), and that is enacted later than 12 months