Date note under section 4314 of Title 22, Foreign Relations and Intercourse.

EFFECTIVE DATE OF 1983 AMENDMENT

Amendment by Pub. L. 97–418 effective Jan. 4, 1983, except that no amount authorized to be appropriated by such amendment may be made available for use or obligation prior to Oct. 1, 1982, see section 2 of Pub. L. 97–418, set out as a note under section 202 of this title.

EFFECTIVE DATE

Section effective July 1, 1974, see section 1(e) of Pub. L. 94–196, set out as an Effective Date of 1975 Amendment note under section 202 of this title.

EX. ORD. NO. 12478. TRANSFER OF AUTHORITY TO THE SECRETARY OF STATE TO MAKE REIMBURSEMENTS FOR PROTECTION OF FOREIGN MISSIONS TO INTERNATIONAL ORGANIZATIONS

Ex. Ord. No. 12478, May 23, 1984, 49 F.R. 22053, provided:

By authority vested in me as President by the Constitution and statutes of the United States of America, and in accordance with the provisions of the Act of December 31, 1975, Public Law 94–196 (89 Stat. 1109), codified as sections 202(7) and 208(a) of Title 3, United States Code, as amended, it is hereby ordered as follows:

SECTION 1. There is transferred to the Secretary of State authority to determine the need for and to approve terms and conditions of the provision of reimbursable extraordinary protective activities for foreign diplomatic missions pursuant to section 202(7), and the authority to make reimbursements to State and local governments for services, personnel, equipment, and facilities pursuant to section 208(a) of Title 3, United States Code;

SEC. 2. There are transferred to the Secretary of State such unexpended moneys as may have been appropriated to the Department of the Treasury for the purpose of permitting reimbursements to be made under the provisions of section 208(a) of Title 3, United States Code;

SEC. 3. The authority transferred pursuant to this Order shall be exercised in coordination with protective security programs administered by the Secretary of State under the Foreign Missions Act of 1982 [22 U.S.C. 4301 et seq.]; authority available under that Act may also be applied to any foreign mission to which section 202(7) applies; and

SEC. 4. This Order shall be effective on October 1, 1984.

RONALD REAGAN.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 209 of this title; title 22 section 4314.

§ 209. Appropriation to carry out provisions

There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of sections 202–204, 207, and 208 of this title.

(June 25, 1948, ch. 644, 62 Stat. 681, § 208; renumbered § 209, Pub. L. 94–196, § 1(d)(1), Dec. 31, 1975, 89 Stat. 1109.)

CHAPTER 4—DELEGATION OF FUNCTIONS

Sec.
301. General authorization to delegate functions; publication of delegations.
302. Scope of delegation of functions.
303. Definitions.

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

Similar provisions were contained in former chapter 4, comprising former sections 301 to 303 of this title, which was set out here but which was not a part of this title. Former sections 301 to 303 were derived from act Aug. 8, 1950, ch. 646, §§ 1–3, 64 Stat. 419, and were repealed by section 56(j) of act Oct. 31, 1951. Subsec. (*l*) of section 56 provided that the repeal should not affect any rights or liabilities existing under the repealed sections on the effective date of the repeal (Oct. 31, 1951).

§ 301. General authorization to delegate functions; publication of delegations

The President of the United States is authorized to designate and empower the head of any department or agency in the executive branch, or any official thereof who is required to be appointed by and with the advice and consent of the Senate, to perform without approval, ratification, or other action by the President (1) any function which is vested in the President by law, or (2) any function which such officer is required or authorized by law to perform only with or subject to the approval, ratification, or other action of the President: *Provided*, That nothing contained herein shall relieve the President of his responsibility in office for the acts of any such head or other official designated by him to perform such functions. Such designation and authorization shall be in writing, shall be published in the Federal Register, shall be subject to such terms, conditions, and limitations as the President may deem advisable, and shall be revocable at any time by the President in whole or in part.

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

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085. Section 102 of 1970 Reorg. Plan No. 2, redesignated Bureau of the Budget as Office of Management and Budget and Director of Bureau of the Budget as Director of Office of Management and Budget. See Reorganization Plan No. 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees.

SIMILAR PROVISIONS; REPEAL; SAVING CLAUSE

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

EX. ORD. NO. 10250. DELEGATION OF FUNCTIONS TO THE SECRETARY OF THE INTERIOR

Ex. Ord. No. 10250, June 5, 1951, 16 F.R. 5385, as amended by Ex. Ord. No. 10732, Oct. 10, 1957, 22 F.R. 8135; Ex. Ord. No. 10752, Feb. 12, 1958, 23 F.R. 973; Pub. L. 101–509, title V, § 529 [title I, § 112(c)], Nov. 5, 1990, 104 Stat. 1427, 1454, provided:

1. The Secretary of the Interior is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of July 10, 1935, ch. 375, 49 Stat. 477 [see 16 U.S.C. 19e to 19n], to appoint members of the National Park Trust Fund Board.

(b) The authority vested in the President by section 2059 of the Revised Statutes [25 U.S.C. 62] to discontinue any Indian agency, or transfer the same, from the place or tribe designated by law to such other place or tribe as the public service may require.

(c) The authority vested in the President by section 6 of the act of May 17, 1882, ch. 168, 22 Stat. 88, as amended [25 U.S.C. 63], to consolidate two or more Indian agencies into one, to consolidate one or more In-

dian tribes, and to abolish such agencies as are thereby rendered unnecessary.

(d) The authority vested in the President by the act of March 1, 1907, ch. 2285, 34 Stat. 1016 [25 U.S.C. 140], to divert appropriations made for certain purposes to other uses for the benefit of the several Indian tribes: *Provided*, That the Secretary of the Interior shall make to the Congress reports required in connection with action taken by him under this provision.

(e) The authority vested in the President by section 5 of the act of February 8, 1887, ch. 119, 24 Stat. 389, as amended [25 U.S.C. 348], by the act of December 24, 1942, ch. 814, 56 Stat. 1081 [25 U.S.C. 348a], by the act of June 21, 1906, ch. 3504, 34 Stat. 326 [25 U.S.C. 391], and by section 3 of the act of January 12, 1891, 26 Stat. 712, as amended by section 3 of the act of March 2, 1917, ch. 146, 39 Stat. 976, to extend trust periods on land patents issued to Indians and to continue restrictions on alienation.

(f) The authority vested in the President by section 4705(b) of the Internal Revenue Code of 1954 [former 26 U.S.C. 4705(b)] to authorize certain persons in the Virgin Islands to obtain certain drugs for legitimate medical purposes without regard to order forms, and by section 4762(b) of such Code [former 26 U.S.C. 4762(b)] to provide for the registration of and the imposition of special and transfer taxes upon persons in the Virgin Islands who import, manufacture, produce, compound, sell, deal in, dispense, prescribe, administer, or give away marihuana: *Provided*, That the Secretary of the Interior shall perform the functions referred to in this subsection in consultation with the Department of the Treasury.

(g) The authority vested in the President by section 2343 of the Revised Statutes [30 U.S.C. 46] to establish additional land districts and to appoint necessary officers under existing laws when deemed necessary for the public convenience in executing certain provisions of law with respect to mineral lands and mining.

(h) The authority vested in the President by section 2252 of the Revised Statutes as affected by section 403 of Reorganization Plan No. 3 of 1946, 60 Stat. 1100 [43 U.S.C. 121], to order the discontinuance of any land office and the transfer of any of its business and archives to any other land office within the same State or Territory.

(i) The authority vested in the President by section 2250 of the Revised Statutes [43 U.S.C. 125] to discontinue a land office in a land district under certain circumstances and to annex the same to some other adjoining land district.

(j) The authority vested in the President by section 2251 of the Revised Statutes [43 U.S.C. 126] to change the location of the land offices in the several land districts established by law and to relocate the same from time to time at such point in the district as may be deemed expedient.

(k) The authority vested in the President by section 2253 of the Revised Statutes [43 U.S.C. 127], to change and reestablish the boundaries of land districts.

(*l*) The authority vested in the President by section 2 of the act of March 2, 1917, ch. 145, 39 Stat. 951, as amended [48 U.S.C. 737], to approve the payment out of the Treasury for other purposes of money derived from any tax levied or assessed for a special purpose in Puerto Rico.

(m) The authority vested in the President by section 7 of the act of March 2, 1917, ch. 145, 39 Stat. 954, as amended [48 U.S.C. 748], to convey to the people of Puerto Rico lands, buildings, or interests in lands, or other property owned by the United States, and to accept lands, buildings, or other interests or property by legislative grant from Puerto Rico.

(n) The authority vested in the President by section 3(b) of the act of March 3, 1925, ch. 426, 43 Stat. 1111, as amended [see 50 U.S.C. 167d], to approve regulations governing the production and sale of helium for medical, scientific, and commercial use.

(*o*) The authority vested in the President by section 6 of the act of April 26, 1906, ch. 1876, 34 Stat. 139, to remove from office the principal chief of the Choctaw, Cherokee, Creek, or Seminole tribe or the governor of the Chickasaw tribe, to declare any such office vacant, and to fill any vacancy in any such office arising from removal, disability, or death of the incumbent.

(p) The authority vested in the President by section 28 of the act of April 26, 1906, ch. 1876, 34 Stat. 148, to approve acts, ordinances, or resolutions of the tribal council or legislature of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole tribes or nations, and to approve contracts, involving the payment or expenditure of money or affecting property belonging to any of the said tribes or nations, made by them or any of them or by any officer thereof.

(q) [Superseded by section 3 of Ex. Ord. No. 10752, Feb. 12, 1958, 23 F.R. 973, set out as a note under 15 U.S.C. 715j].

(r) The authority vested in the President by section 55 of the act of April 30, 1900, 31 Stat. 150, as amended [48 U.S.C. 562], and by section 4 of the act of August 24, 1954, 68 Stat. 785, as amended [48 U.S.C. 562*o*], to approve the issuance of bonds or other instruments of indebtedness by the Territory of Hawaii.

2. The Secretary of the Interior is hereby designated and empowered to perform, without the approval, ratification, or other action of the President, the following functions which have heretofore, under the respective provisions of law cited, required the approval, ratification, or other action of the President in connection with their performance by the Secretary of the Interior:

(a) The authority vested in the Secretary of the Interior by section 1 of the act of June 6, 1942, ch. 380, 56 Stat. 326 [16 U.S.C. 459r], to convey or lease to the States or to the political subdivisions thereof any or all of certain recreational demonstration projects and lands and equipment comprised within such projects or any parts of such projects; and to transfer to other Federal agencies any of the said recreational demonstration areas that may be of use to such agencies.

(b) The authority vested in the Secretary of the Interior by section 3 of the act of July 3, 1918, ch. 128, 40 Stat. 755, as amended, and as affected by section 4(f) of Reorganization Plan No. II, effective July 1, 1939, 53 Stat. 1433 [16 U.S.C. 704], to promulgate regulations permitting and governing the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any migratory bird included in the terms of certain conventions, or any part, nest, or egg thereof.

3. As used in this order, the term ''functions'' embraces duties, powers, responsibilities, authority, or discretion, and the term ''perform'' may be construed to mean ''exercise''.

4. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until modified or revoked pursuant to the authority conferred by this order.

5. The Secretary of the Interior is hereby authorized to redelegate to the Deputy Secretary of the Interior any of the authority delegated to the Secretary of the Interior by section 1 of this order.

Ex. Ord. No. 10289. Delegation of Functions to Secretary of the Treasury

Ex. Ord. No. 10289, Sept. 17, 1951, 16 F.R. 9499, as amended by Ex. Ord. No. 10583, Dec. 18, 1954, 19 F.R. 8725; Ex. Ord. No. 10882, July 18, 1960, 25 F.R. 6869; Ex. Ord. No. 11110, June 4, 1963, 28 F.R. 5605; Ex. Ord. No. 11825, Dec. 31, 1974, 40 F.R. 1003; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of August 1, 1914, ch. 223, 38 Stat. 609, 623,

as amended [19 U.S.C. 2], (1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.

(b) The authority vested in the President by section 1 of the Anti-Smuggling Act of August 5, 1935, c. 438, 49 Stat. 517 [19 U.S.C. 1701], (1) to find and declare that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being, or may be, occasioned, promoted, or threatened, (2) to find and declare that certain waters on the high seas are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels, and (3) to find and declare that, within any customs-enforcement area, the circumstances no longer exist which gave rise to the declaration of such area as a customs-enforcement area.

(c) The authority vested in the President by section 1 of the Act of August 26, 1985, Public Law 98–89, 97 Stat. 510 (46 U.S.C. 3101); to suspend the provisions of law requiring the inspection of foreign-built vessels admitted to American registry.

(d) The authority vested in the President by section 5 of the act of May 28, 1908, ch. 212, 35 Stat. 425, as amended (46 U.S.C. Appendix 104), to determine (as a prerequisite to the extension of reciprocal privileges by the Commissioner of Customs) that yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States are allowed to arrive at and depart from any foreign port and to cruise in the waters of such port without entering or clearing at the custom-house thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage taxes, or charges for cruising licenses.

(e) The authority vested in the President by section 2 of the act of March 24, 1908, ch. 96, 35 Stat. 46 (46 U.S.C. Appendix 134), to name the hospital ships to which section 1 of the said act [46 U.S.C. Appendix 133], shall apply and to indicate the time when the exemptions thereby provided for shall begin and end.

(f) The authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U.S.C. Appendix 141), (1) to declare that—upon satisfactory proof being given by the government of any foreign nation that no discriminating duties of tonnage or imports are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures or merchandise imported in the same from the United States or from any foreign country—the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respect the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country, and (2) to suspend in part the operation of section 4219 of the Revised Statutes, as amended (46 U.S.C. Appendix 121), and section IV, J, subsection 1 of the act of October 3, 1913, c. 16 38 Stat. 195, as amended (46 U.S.C. Appendix 146), so that foreign vessels from a country imposing partial discriminating tonnage duties upon American vessels, or partial discriminating import duties upon American merchandise, may enjoy in our ports the identical privileges which the same class of American vessels and merchandise may enjoy in such country: *Provided*, That prior to the issuance of an order of the Secretary of the Treasury suspending and discontinuing (wholly or in part) discriminating tonnage duties, imposts, and import duties within the United States, the Department of State shall obtain and furnish to the Secretary of the Treasury the proof required by the said sections 4228, as amended, as the basis for that order.

(g) The authority vested in the President by section 3650 of the Internal Revenue Code [section 3650 of the Internal Revenue Code of 1939] [see 26 U.S.C. 7621], to establish convenient collection districts (for the purpose of assessing, levying, and collecting the taxes provided by the internal revenue laws), and from time to time to alter such districts.

(h) The authority which is now vested in the President by section 2564(b) of the Internal Revenue Code [section 2564(b) of the Internal Revenue Code of 1939], and which on and after January 1, 1955, will be vested in the President by section 4735(b) of the Internal Revenue Code of 1954 [former 26 U.S.C. 4735(b)], to issue, in accordance with the provisions of the said section 2564(b) or 4735(b), as the case may be, orders providing for the registration and the imposition of a special tax upon all persons in the Canal Zone who produce, import, compound, deal in, dispense, sell, distribute, or give away narcotic drugs.

(i) The authority vested in the President by Section 5318 of the Revised Statutes, as amended (19 U.S.C. 540), to employ suitable vessels other than Coast Guard cutters in the execution of laws providing for the collection of duties on imports and tonnage;[.]

2. The Secretary of the Treasury is hereby designated and empowered to perform without the approval, ratification, or other action of the President the following functions which have heretofore, under the respective provisions of law cited, required the approval of the President in connection with their performance by the Secretary of the Treasury:

(a) The authority vested in the Secretary of the Treasury by section 6 of the act of July 8, 1937, ch. 444, 50 Stat. 480 [40 U.S.C. 728], to make rules and regulations necessary for the execution of the functions vested in the Secretary of the Treasury by the said act, as amended.

(b), (c) [Revoked by Ex. Ord. No. 11110, June 4, 1963, 28 F.R. 5605.]

(d) [Revoked by Ex. Ord. No. 11825, Dec. 31, 1974, 40 F.R. 1003.]

(e) The authority vested in the Secretary of the Treasury by section 1 of Title II of the act of June 15, 1917, ch. 30, 40 Stat. 220 [50 U.S.C. 191], to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States.

3. (a) The Secretary of the Treasury and the Postmaster General [now United States Postal Service] are hereby designated and empowered jointly to prescribe without the approval of the President regulations, under section 1 of the act of July 8, 1937, ch. 444, 50 Stat. 479 [40 U.S.C. 721], governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly-owned corporations, officers, and employees of the United States.

(b) The Postmaster General [now United States Postal Service] is hereby designated and empowered to exercise without the approval, ratification, or other action of the President the authority vested in the President by section 504(b) of Title 18 of the United States Code to approve regulations issued by the Secretary of the Treasury under the authority of the said section 504(b) (relating to the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, of postage stamps for philatelic purposes) [see section 504(2) of title 18], and to approve any amendment or repeal of any of such regulations by the Secretary of the Treasury.

4. As used in this order, the term ''functions'' embraces duties, powers, responsibilities, authority, or discretion, and the term ''perform'' may be construed to mean ''exercise''.

5. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such

matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

EX. ORD. NO. 10530. DELEGATION OF MISCELLANEOUS FUNCTIONS

Ex. Ord. No. 10530, May 10, 1954, 19 F.R. 2709, as amended by Ex. Ord. No. 10573, Oct. 26, 1954, 19 F.R. 6899; Ex. Ord. No. 10682, Oct. 22, 1956, 21 F.R. 8129; Ex. Ord. No. 10759, Mar. 17, 1958, 23 F.R. 1803; Ex. Ord. No. 10790, Nov. 20, 1958, 23 F.R. 9051; Ex. Ord. No. 10836, Sept. 8, 1959, 24 F.R. 7269; Ex. Ord. No. 10852, Nov. 27, 1959, 24 F.R. 9565; Ex. Ord. No. 10889, Oct. 5, 1960, 25 F.R. 9633; Ex. Ord. No. 10903, Jan. 9, 1961, 26 F.R. 217; Ex. Ord. No. 10960, Aug. 21, 1961, 26 F.R. 7823; Ex. Ord. No. 10970, Oct. 27, 1961, 26 F.R. 10149; Ex. Ord. No. 11012, Mar. 27, 1962, 27 F.R. 2983; Ex. Ord. No. 11116, Aug. 5, 1963, 28 F.R. 8075; Ex. Ord. No. 11164, Aug. 1, 1964, 29 F.R. 11257; Ex. Ord. No. 11184, Oct. 13, 1964, 29 F.R. 14155; Ex. Ord. No. 11196, Feb. 2, 1965, 30 F.R. 1171; Ex. Ord. No. 11222, May 8, 1965, 30 F.R. 6469; Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739; Ex. Ord. No. 11230, §2(1), (3), (5) to (14), June 28, 1965, 30 F.R. 8447; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055; Pub. L. 98–497, title I, §103(b)(1), Oct. 19, 1984, 98 Stat. 2283; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

PART I—DIRECTOR OF THE BUREAU OF THE BUDGET

[Superseded by Ex. Ord. No. 11230, §2(1), (3), (5)–(14), June 28, 1965, 30 F.R. 8447]

PART II—THE OFFICE OF PERSONNEL MANAGEMENT

[Superseded by Ex. Ord. No. 11228, §3(1), (2), (5), June 14, 1965, 30 F.R. 7739]

PART III—THE HOUSING AND HOME FINANCE ADMINISTRATOR

[Superseded by Ex. Ord. No. 11196, Feb. 2, 1965, 30 F.R. 1171]

PART IV

THE FEDERAL COMMUNICATIONS COMMISSION

SEC. 5. (a) The Federal Communications Commission is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, all authority vested in the President by the act of May 27, 1921, ch. 12, 42 Stat. 8 [47 U.S.C. 34 to 39], including the authority to issue, withhold, or revoke licenses to land or operate submarine cables in the United States: *Provided*, That no such license shall be granted or revoked by the Commission except after obtaining approval of the Secretary of State and such advice from any executive department or establishment of the Government as the Commission may deem necessary. The Commission is authorized and directed to receive all applications for the said licenses.

(b) Executive Order No. 3513 of July 9, 1921, as amended by Executive Order No. 6779 of June 30, 1934, is hereby revoked.

PART V

THE ATTORNEY GENERAL AND THE ARCHIVIST OF THE UNITED STATES

SEC. 6. The Attorney General and the Archivist of the United States are hereby designated and empowered jointly to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 5(a) of the act of July 26, 1935, ch. 417, 49 Stat. 501, as amended (44 U.S.C. 1505(a)), to determine from time to time the documents or classes of documents having general applicability and legal effect.

(b) The authority vested in the President by sections 6, 11(a), and 11(f) of said act, as amended (44 U.S.C. 1506; 1510(a) and 1510(f)), to approve (or disapprove), respectively, (1) regulations, prescribed by the Administrative Committee of the Federal Register, for carrying out the provisions of that act (including the regulations referred to in section 5(b) of the act (44 U.S.C. 1505(b)), authorizing publication in the Federal Register of certain documents or classes of documents), (2) actions of the Administrative Committee of the Federal Register requiring, from time to time, the preparation and publication in special or supplemental editions of the Federal Register of complete codifications of the documents, described in the said section 11(a) (44 U.S.C. 1510(a)), of each agency of the Government, and (3) regulations, prescribed by the Administrative Committee of the Federal Register, for carrying out the provisions of section 11 (44 U.S.C. 1510) of the said act, as amended.

PART VI

GENERAL PROVISIONS

SEC. 7. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 8. As used in this order, the term ''functions'' embraces duties, powers, responsibilities, authority, or discretion, and the term ''perform'' may be construed to mean ''exercise.''

EX. ORD. NO. 10621. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE

Ex. Ord. No. 10621, July 1, 1955, 20 F.R. 4759, as amended by Ex. Ord. No. 11294, Aug. 4, 1966, 31 F.R. 10601; Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897; Ex. Ord. No. 12561, July 1, 1986, 51 F.R. 24299, provided:

SECTION 1. The Secretary of Defense, and, as designated by the said Secretary for this purpose, any of the Secretaries, Under Secretaries, and Assistant Secretaries of the military departments, are hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by the act of March 3, 1901, ch. 852, 31 Stat. 1107, 1133 [10 U.S.C. 5941, 7291], to establish and modify, as the needs of the service may require, a classification of vessels of the Navy, and to formulate appropriate rules governing assignments to command of vessels and squadrons.

(b) The authority vested in the President by the act of August 22, 1912, ch. 335, 37 Stat. 382, 331 [see 10 U.S.C. 509, 1171], to approve regulations of the Secretary of the Navy under which any enlisted man may be discharged within three months before the expiration of the term of his enlistment, and under which an enlisted man may voluntarily extend the term of his enlistment.

(c) The authority vested in the President by the act of May 22, 1928, ch. 688, 45 Stat. 712 [10 U.S.C. 6152], to approve regulations governing the advancement of public funds to naval personnel when required to meet expenses of officers and men detailed on emergency shore duty.

(d) The authority vested in the President by the act of June 22, 1938, ch. 567, 52 Stat. 839, as amended [10 U.S.C. 5083, 5133, 5148, 5201], section 201(a) of the act of August 25, 1941, ch. 409, 55 Stat. 680 [10 U.S.C. 5063, 5064], section 3 of the act of December 28, 1945, ch. 604, 59 Stat. 666, as amended [10 U.S.C. 5138], section 2 of the act of August 1, 1946, ch. 727, 60 Stat. 779 [10 U.S.C. 5150], and section 7(a) of the act of March 5, 1948, ch. 98, 62 Stat. 68 [see Department of Defense Reorganization Order set out as a note under 10 U.S.C. 5111], to authorize, in his discretion, for any officer of the Regular Navy or Marine Corps who retires while serving as Chief of Naval Operations, as Chief of a Bureau of the Navy Department, as Judge Advocate General of the

Navy, as Commandant of the Marine Corps, as Director of Budgets and Reports, as Chief of the Dental Division, as Chief of Naval Research, or as Chief of Naval Material, or while serving in a lower rank if he has previously served in any of such offices two and one-half years or more, retirement in the highest grade or rank in which he so served and with retired pay based on that rank.

(e) The authority vested in the President by the act of June 15, 1940, ch. 374, 54 Stat. 400, to prescribe from time to time the number of warrant and commissioned warrant officers for the Marine Corps.

(f) The authority vested in the President by the act of June 24, 1941, ch. 231, 55 Stat. 260 [10 U.S.C. 7306], to approve the use for experimental purposes of vessels of the United States Navy stricken from the Navy Register pursuant to the act of August 5, 1882, 22 Stat. 296, as amended [10 U.S.C. 7304].

(g) The authority vested in the President by section 302 of the act of June 22, 1944, ch. 268, 58 Stat. 287 [see 10 U.S.C. 1554], to approve or disapprove the proceedings and decisions of boards of review established under that section by the Secretary of the Army, the Secretary of the Air Force, or the Secretary of the Navy, and to issue orders in such cases.

(h) The authority vested in the President by Section 102(a) of the Federal Civilian Employee and Contractor Travel Expenses Act of 1985, 5 U.S.C. 5702(a), to establish maximum rates of per diem allowances and reimbursements for the actual and necessary expenses of official travel for employees of the Government to the extent that such authority pertains to travel status in localities in Alaska, Hawaii, the Commonwealth of Puerto Rico, and possessions of the United States.

SEC. 2. The Secretary of Defense, and, as designated by the said Secretary for this purpose, the Deputy Secretary of Defense and any of the Assistant Secretaries of Defense, are hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1547 of the Revised Statutes of the United States [10 U.S.C. 6011], to approve alterations made by the Secretary of the Navy in Navy Regulations.

(b) The authority vested in the President by section 1 of the act of April 9, 1906, ch. 1370, 34 Stat. 104 [10 U.S.C. 6961], to approve the dismissal by the Secretary of the Navy of a midshipman from the United States Naval Academy.

SEC. 3. All actions heretofore taken by the President with respect to the matters affected by this order and in force and effect at the time of the issuance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in force and effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 4. As used in this order, the term ''functions'' includes duties, powers, responsibilities, authority, and discretion, and the term ''perform'' may be construed to mean ''exercise''.

EX. ORD. NO. 10637. DELEGATION OF FUNCTIONS TO SECRETARY OF THE TREASURY

Ex. Ord. No. 10637, Sept. 16, 1955, 20 F.R. 7025, provided:

SECTION 1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 149 of title 14 of the United States Code, in his discretion, to detail officers and enlisted men of the Coast Guard to assist foreign governments in matters concerning which the Coast Guard may be of assistance.

(b) The authority vested in the President by section 229 of title 14 of the United States Code [see 14 U.S.C. 281 et seq.], to revoke the commission of any officer on the active list of the Coast Guard who, at the date of such revocation, has had less than three years of continuous service as a commissioned officer in the Coast Guard, and to prescribe regulations relating to such revocations.

(c) The authority vested in the President by section 232 of title 14 of the United States Code [see 14 U.S.C. 291], in his discretion, to retire from active service any commissioned officer of the Coast Guard, upon his own application, who has completed twenty years of active service in the Coast Guard, Navy, Army, Air Force, or Marine Corps, or the Reserve Components thereof.

(d) The authority vested in the President by section 235 of title 14 of the United States Code [see 14 U.S.C. 251 et seq.], to retire, to approve the retirement of, to place out of line of promotion, and to approve the placing out of line of promotion of, officers of the Coast Guard.

(e) The authority vested in the President by section 492 of title 14 of the United States Code to present a distinguished service medal (including incidental items) to any person who, while serving in any capacity with the Coast Guard, distinguishes himself by exceptionally meritorious service to the Government in a duty of great responsibility.

(f) The authority vested in the President by section 493 of title 14 of the United States Code to present the Coast Guard medal (including incidental items) to any person who, while serving in any capacity with the Coast Guard, distinguishes himself by heroism not involving actual conflict with an enemy.

(g) The authority vested in the President by section 494 of title 14 of the United States Code to award emblems, insignia, rosettes, and other devices, to the extent that such authority relates to the awarding of such items to be worn with the distinguished service medal or the Coast Guard medal.

(h) The authority vested in the President by section 498 of title 14 of the United States Code to make posthumous awards of decorations and to designate representatives to receive such awards, to the extent that such authority relates to the awarding of the distinguished service medal or the Coast Guard medal, or ribbons, emblems, insignia, rosettes, or other devices corresponding thereto.

(i) The authority vested in the President by section 499 of title 14 of the United States Code to make rules, regulations, and orders to the extent that they shall relate to the authority described in sections 1(f), 1(g), and 1(h) above.

(j) The authority vested in the President by the first paragraph of section 806 of the act of September 8, 1916, ch. 463, 39 Stat. 799 [15 U.S.C. 77], to direct the detention of any vessel, American or foreign, by withholding clearance or by formal notice forbidding departure; but such authority shall be exercised by the Secretary of the Treasury only upon a finding by the President that there is reasonable ground to believe that the vessel concerned is making or giving undue or unreasonable preference or advantage to any party, or is subjecting any party to undue or unreasonable prejudice, disadvantage, injury, or discrimination, as described in the said paragraph; and the authority so vested to revoke, modify, or renew any such direction.

(k) The authority vested in the President by the second paragraph of the said section 806 of the act of September 8, 1916 [15 U.S.C. 77], to withhold clearance from one or more vessels of a belligerent country or government until such belligerent shall restore to American vessels and American citizens reciprocal liberty of commerce and equal facilities for trade, and the authority to direct that similar privileges and facilities, if any, enjoyed by vessels and citizens of such belligerent in the United States or its possessions be refused to vessels or citizens of such belligerent; but such authority shall not, in either instance, be exercised by the Secretary of the Treasury with respect to any vessel or citizen of such belligerent unless and until the President proclaims that the belligerent nation concerned is denying privileges and facilities to American vessels as described in the said paragraph.

(*l*) The authority vested in the President by section 963(a) of title 18 of the United States Code to detain, in accordance with the provisions of such section, any armed vessel, or any vessel, domestic or foreign (other than one which has entered the ports of the United States as a public vessel), which is manifestly built for warlike purposes or has been converted or adapted from a private vessel to one suitable for warlike use, and to determine, in each case, whether the proof required by such section is satisfactory.

(m) The authority vested in the President by section 967(a) of title 18 of the United States Code, during a war in which the United States is a neutral nation, to withhold clearance from or to any vessel, domestic or foreign, or, by service of formal notice upon the owner, master, or person in command or in charge of any domestic vessel not required to secure clearances, and to forbid its departure from port or from the United States, whenever there is reasonable cause to believe that such vessel is about to carry fuel, arms, ammunition, men, supplies, dispatches, or information to any warship, tender, or supply ship of a foreign belligerent nation in violation of the laws, treaties, or obligations of the United States under the law of nations.

(n) The authority vested in the President by section 10(a) of the act of November 4, 1939, ch. 2, 54 Stat. 9 [22 U.S.C. 450(a)], to require the owner, master, or person in command of a vessel to give a bond to the United States, as prescribed by the said section 10(a).

(*o*) The authority vested in the President by section 10(b) of the act of November 4, 1939, ch. 2, 54 Stat. 9 [22 U.S.C. 450(b)], to prohibit the departure of a vessel from a port of the United States, in accordance with the provisions of the said section 10(b).

(p) The authority vested in the President by section 2 of the act of August 18, 1914, ch. 256, 38 Stat. 699 [46 U.S.C. 8103(h)(2)], to suspend, in his discretion, by order, so far and for such length of time as he may deem desirable, the provisions of law prescribing that all watch officers of vessels of the United States registered for foreign trade shall be citizens of the United States.

(q) The authority vested in the President by section 2 of the act of October 17, 1940, ch. 896, 54 Stat. 1201 [former 46 U.S.C. 643b], to extend, whenever in his judgment the national interest requires, the provisions of subsection (b) of section 4551, Revised Statutes, as amended [46 U.S.C. 7304], to such additional class or classes of vessels and to such waters as he may designate.

(r) The authority vested in the Secretary of the Treasury by the first paragraph of section 1 of Title II of the act of June 15, 1917, ch. 30, 40 Stat. 220, as amended [50 U.S.C. 191], during a national emergency proclaimed as provided in the said paragraph, (1) to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, and (2) to take full possession and control of such vessel for the purposes set forth in the said paragraph.

(s) The authority vested in the President by section 6 of the act of July 24, 1941, ch. 320, 55 Stat. 604, as amended (34 U.S.C. 350e) [see Historical and Revision Notes set out under 10 U.S.C. 5501], to make appointments of officers below flag rank without the advice and consent of the Senate, to the extent that such authority relates, pursuant to section 11(b) of the said act, as amended (34 U.S.C. 350j) [see 14 U.S.C. 214, 275], to officers of the United States Coast Guard.

SEC. 2. The Secretary of the Treasury is hereby designated and empowered to perform without the approval, ratification, or other action of the President the following described functions to the extent that they relate to the United States Coast Guard:

(a) The authority vested in the President by Article 4(a) of the Uniform Code of Military Justice (section 1 of the act of May 5, 1950, ch. 169, 64 Stat. 110) [10 U.S.C. 804], to convene a general court-martial to try any dismissed officer, upon application by the officer concerned for trial by court-martial.

(b) The authority vested in the President by Articles 4(c) and 75 of the Uniform Code of Military Justice (64 Stat. 110, 132) [10 U.S.C. 804, 875], to reappoint a discharged officer to such commissioned rank and precedence as the former officer would have attained had he not been dismissed, and to direct the extent to which any such reappointment shall affect the promotion status of other officers.

(c) The authority vested in the President by section 10 of the act of May 5, 1950, ch. 169, 64 Stat. 146 [10 U.S.C. 1161, 6408], to drop from the rolls any officer who has been absent without authority from his place of duty for a period of three months or more, or who, having been found guilty by the civil authorities of any offense, is finally sentenced to confinement in a Federal or State penitentiary or correctional institution.

(d) The authority vested in the President by section 219 of the Armed Forces Reserve Act, approved July 9, 1952 (66 Stat. 487) [10 U.S.C. 12203], to make appointments of Reserves in commissioned grades below flag officer grades.

(e) The authority vested in the President by section 221 of the said Armed Forces Reserve Act [10 U.S.C. 12203], to determine the tenure in office of commissioned officers of the reserve.

(f) The authority vested in the President by section 248 of the said Armed Forces Reserve Act [see 10 U.S.C. 12681, 12682], to effect the discharge of commissioned officers of the reserve.

(g) The authority vested in the President by section 6 of the act of February 21, 1946, ch. 34, 60 Stat. 27 [10 U.S.C. 6323], as made applicable to the Coast Guard Reserve by section 755(a) of Title 14 of the United States Code, in his discretion, to place upon the retired list any officer of the Coast Guard Reserve, upon his own application, who has completed more than twenty years of active service as described in the said section 6.

SEC. 3. All actions heretofore taken by the President with respect to the matters affected by this order and in force at the time of issuance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

SEC. 4. As used in this order, the term ''functions'' embraces duties, powers, responsibilities, authority, or discretion, and the term ''perform'' may be construed to mean ''exercise''.

SEC. 5. Whenever the entire Coast Guard operates as a service in the Navy, the references to the Secretary of the Treasury in the introductory portions of sections 1 and 2 of this order shall be deemed to be references to the Secretary of the Navy.

DWIGHT D. EISENHOWER.

EX. ORD. NO. 10661. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE AND SECRETARY OF COMMERCE

Ex. Ord. No. 10661, Feb. 27, 1956, 21 F.R. 1315, provided:

SECTION 1. The Secretary of Defense, and, when designated by the Secretary of Defense for such purpose, the Secretary of the Army are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by the first section of the act of June 26, 1946, ch. 493, 60 Stat. 311, as amended [10 U.S.C. 4344, 9344], to designate persons from the American Republics (other than the United States) and Canada who may be permitted to receive instruction at the United States Military Academy at West Point, New York.

SEC. 2. The Secretary of Defense, and, when designated by the Secretary of Defense for such purpose, the Secretary of the Navy are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following-described authority to designate persons who may be permitted to receive instruction at the United States Naval Academy at Annapolis, Maryland:

(a) The authority vested in the President by the act of July 14, 1941, ch. 292, 55 Stat. 589, as amended [10 U.S.C. 6957], with respect to persons from the American Republics (other than the United States) and Canada.

(b) The authority vested in the President by the act of June 24, 1948, ch. 616, 62 Stat. 583 [10 U.S.C. 6957], with respect to Filipinos.

SEC. 3. The Secretary of Defense, and, when designated by the Secretary of Defense for such purpose, the Secretary of the Air Force are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by the first section of the said act of June 26, 1946, as made applicable to the United States Air Force Academy by section 5 of the act of April 1, 1954, ch. 127, 68 Stat. 48 [10 U.S.C. 9344], to designate persons from the American Republics (other than the United States) and Canada who may be permitted to receive instruction at the United States Air Force Academy.

SEC. 4. The Secretary of Commerce is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by the act of August 9, 1946, ch. 928, 60 Stat. 961 [former 46 U.S.C. 1126b], to designate persons from the American Republics (other than the United States) who may be permitted to receive instruction in the United States Merchant Marine Cadet Corps and at the United States Merchant Marine Academy at Kings Point, New York.

SEC. 5. No person shall be designated under the authority of this order to receive instruction except after consultation by the designating officer with the Secretary of State.

DWIGHT D. EISENHOWER.

EX. ORD. NO. 10950. DELEGATION OF FUNCTIONS TO SECRETARY OF THE INTERIOR

Ex. Ord. No. 10950, June 27, 1961, 26 F.R. 5787, as amended by Pub. L. 101–509, title V, § 529 [title I, § 112(c)], Nov. 5, 1990, 104 Stat. 1427, 1454, provided:

By virtue of the authority vested in me by section 6(b) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339) [set out as a note preceding 48 U.S.C. 21], and as President of the United States, I hereby designate the Secretary of the Interior as my representative to exercise the authority vested in me by section 6(b) of the act to approve selections of land made by the State of Alaska under the provisions of section 6(b) in instances in which those selections include land lying north and west of the line described in section 10(b) of the act: *Provided*, That no selection by the State shall be approved pursuant to this order, in whole or in part, without the concurrence of the Secretary of Defense or his designated representative.

As the Secretary of the Interior may direct, the Deputy Secretary of the Interior, an Assistant Secretary of the Interior, the Director of the Bureau of Land Management, or the Operations Supervisors of the Bureau of Land Management in Alaska are severally authorized to exercise the authority vested in the Secretary by this order.

EX. ORD. NO. 11012. DELEGATION OF FUNCTIONS TO ADMINISTRATOR OF GENERAL SERVICES

Ex. Ord. No. 11012, Mar. 27, 1962, 27 F.R. 2983, as amended by Ex. Ord. No. 11230, § 2(11), June 28, 1965, 30 F.R. 8447; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. [Superseded by Ex. Ord. No. 11230, § 2(11), June 28, 1965, 30 F.R. 8447.]

SEC. 2. The Administrator of General Services is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, so much of the authority vested in the President by Section 1(b) of the Act of August 2, 1946, ch. 744, 60 Stat. 807 (5 U.S.C. 73b–1(b)) [5 U.S.C. 5724], as pertains to the establishment of the rates to be used in reimbursing civilian officers or employees of the Government on a commuted basis in lieu of the payment of actual expenses of transportation, packing, crating, temporary storage, drayage, and unpacking of their household goods and personal effects in the case of transfers from one official station to another within the continental United States for permanent duty.

SEC. 3. The initial regulations to be issued by the Director of the Office of Management and Budget and by the Administrator of General Services under the authority delegated to each of them by this order shall be effective on the same date and effective as of that date the following-described Executive orders are revoked:

(a) Executive Order No. 9778 of September 10, 1946.
(b) Executive Order No. 9805 of November 25, 1946.
(c) Executive Order No. 9933 of February 27, 1948.
(d) Executive Order No. 9997 of September 8, 1948.
(e) Executive Order No. 10069 of July 14, 1949.
(f) Executive Order No. 10177 of October 27, 1950.
(g) Executive Order No. 10196 of December 20, 1950.
(h) Executive Order No. 10274 of July 18, 1951.
(i) Executive Order No. 10381 of August 6, 1952.
(j) Executive Order No. 10507 of December 10, 1953.

SEC. 4. Existing regulations prescribed by the Director of the Office of Management and Budget under the authority of Section 1(b) of Executive Order No. 10530, as amended and in effect immediately prior to the issuance of this order, shall remain in effect until they are superseded in pursuance of the provisions of this order.

EX. ORD. NO. 11023. DELEGATION OF FUNCTIONS TO SECRETARY OF COMMERCE

Ex. Ord. No. 11023, May 28, 1962, 27 F.R. 5131, as amended by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By virtue of the authority vested in me by section 301 of title 3, of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The Secretary of Commerce is hereby designated and empowered to perform the following-described functions without the approval, ratification, or other action of the President:

(a) The authority contained in section 6(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948 (62 Stat. 298; 33 U.S.C. 853e(b)) to revoke the commissions of ensigns of the National Oceanic and Atmospheric Administration who are found not fully qualified and to separate such ensigns from the commissioned service.

(b) The authority vested in the President by section 12(a) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(a)), to make temporary appointments in the grade of ensign in the National Oceanic and Atmospheric Administration.

(c) The authority vested in the President by section 12(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(b)), to temporarily promote officers in the permanent grade of ensign in the National Oceanic and Atmospheric Administration, and to appoint such officers to the grade of lieutenant junior grade whenever vacancies exist in higher grades.

(d) The authority vested in the President by section 12 (c) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853j–1(c)), to temporarily promote any officer one grade.

(e) The authority vested in the President by section 13(b) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853k(b)), to defer the retirement of an officer of the National Oceanic and Atmospheric Administration serving in a rank above that of captain who has attained the age of sixty-two years.

(f) The authority vested in the President by section 14 of the Coast and Geodetic Survey Commissioned Of-

ficers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853*l*), to retire from the active service any commissioned officer of the National Oceanic and Atmospheric Administration, upon his own application, who has completed twenty years of active service in the National Oceanic and Atmospheric Administration.

(g) The authority vested in the President by section 23(a) of the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended (75 Stat. 506; 33 U.S.C. 853t(a)), (1) to find that any officer appointed under section 23 is not qualified for service, (2) to revoke the commissions of officers in respect of whom such findings are made, and (3) to prescribe the regulations referred to in that section.

(h) The authority contained in section 1(1) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(1)) to temporarily promote to higher ranks or grades, upon recommendation of the Secretary of the military department concerned, commissioned officers of the National Oceanic and Atmospheric Administration transferred to the military departments.

(i) The authority contained in section 1(2) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(2)) to temporarily promote commissioned officers of the National Oceanic and Atmospheric Administration to fill vacancies in ranks and grades caused by transfer of commissioned officers to the service and jurisdiction of the military departments.

(j) The authority contained in section 1(3) of the Act of December 3, 1942 (56 Stat. 1038; 33 U.S.C. 854a–1(3)) to temporarily appoint deck officers and junior engineers to the grade of ensign to fill vacancies caused by transfer of officers to the military departments.

(k) The authority vested in the President by section 16 of the Act of May 22, 1917 (40 Stat. 87; 33 U.S.C. 855), to transfer to service and jurisdiction of the Department of Defense, as he may deem to be to the best interest of the country, vessels, equipment, stations, and personnel of the National Oceanic and Atmospheric Administration; but the Secretary of Commerce may effect such transfers only during the existence of a state of national emergency proclaimed by President. Commissioned officers so transferred shall serve under their commissions in the National Oceanic and Atmospheric Administration and while so serving shall constitute a part of the active armed forces of the United States and shall be under the direct orders of, and shall be subject to the applicable laws, regulations, and orders for the government of, the armed forces to which they are transferred, respectively. The Secretary of Commerce may return such vessels, equipment, stations, and personnel to the jurisdiction of the Department of Commerce, but in time of national emergency such return shall be effected only with the concurrence of the Secretary of Defense.

(*l*) The authority vested in the President by section 8 of the Act of August 6, 1947 (61 Stat. 788; 33 U.S.C. 883h) to employ public vessels, and to give instructions for regulating their conduct, to carry out the provisions of the Act of August 6, 1947; but the employment by the Secretary of Commerce of vessels, except those of the Department of Commerce or of any subordinate entity thereof, shall require the concurrence of the head of the department or other executive agency having custody or control of the vessel.

SEC. 2. Upon receipt by the Secretary of Commerce from the President or from the President's representative of information showing that the Senate has confirmed nominees of the President for appointment as commissioned officers of the National Oceanic and Atmospheric Administration, and without any further action on the part of the President, (1) the Secretary of Commerce or an officer of the Department of Commerce designated by the Secretary may, upon completion of statutory requirements for such appointments, tender offers of appointment to the nominees and upon acceptance such persons shall be deemed to be appointed accordingly, (2) the Secretary of Commerce, in the name of the President, shall issue to each such person a commission evidencing the appointment of such persons accordingly, and (3) the commissions of such persons shall be deemed to have been signed by the President. The effective date specified in any commission so issued shall be deemed, for all purposes, to be the date of the appointment evidenced by such commission.

SEC. 3. In connection with making appointments or promotions under authority delegated to him by subsections (b), (c), (d), (h), (i), and (j) of section 1 of this order, the Secretary of Commerce shall issue to each person appointed or promoted by him thereunder a certificate evidencing the appointment or promotion of such person. Such certificate may be issued in the name of the President.

SEC. 4. Any requirement of any provision of law that commissions of officers under the direction and control of the Secretary of Commerce be signed by the President before the seal of the Department of Commerce may be affixed thereto shall, in the case of officers appointed under the procedure set forth in section 2 of this order and in the case of officers appointed or promoted under authority delegated by subsections (b), (c), (d), (h), (i), and (j) of section 1 of this order, be deemed to be satisfied by signature of the commission or certificate by the Secretary of Commerce, before the departmental seal is affixed thereto.

SEC. 5. The Secretary of Commerce is hereby authorized to accept, in the name of the President, the resignation of a commissioned officer, either permanent or temporary, of the National Oceanic and Atmospheric Administration.

SEC. 6. The authority delegated by the provisions of subsections (b), (c), (d), (h), (i), and (j) of section 1 of this order shall be deemed to include the authority to terminate any appointment or promotion made under the provisions of law referred to in those subsections.

SEC. 7. All actions heretofore taken by the President with respect to the matters affected by this order and in force at the time of issuance of this order, including any regulations prescribed or approved by the President with respect to such matters shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified or revoked pursuant to the authority conferred by this order. The following are hereby superseded: (1) Letter of the President to the Secretary of Commerce, dated April 23, 1929, and relating to the general subject of section 2 of this order, and (2) letter of the Secretary to the President, dated July 1, 1919, and directed to the Secretary of Commerce, relating to the general subject of section 5 of this order.

SEC. 8. As used in this order the term ''functions'' embraces duties, powers, responsibilities, authority or discretion, and the term ''perform'' may be construed to mean ''exercise''.

EX. ORD. NO. 11110. AMENDMENT OF EXECUTIVE ORDER NO. 10289, RELATING TO PERFORMANCE OF CERTAIN FUNCTIONS OF DEPARTMENT OF THE TREASURY

Ex. Ord. No. 11110, June 4, 1963, 28 F.R. 5605, provided:

By virtue of the authority vested in me by section 301 of Title 3 of the United States Code, it is ordered as follows:

SECTION 1. Executive Order No. 10289 of September 19, 1951, as amended [set out as a note under this section], is hereby further amended—

(a) By adding at the end of paragraph 1 thereof the following subparagraph (j):

''(j) The authority vested in the President by paragraph (b) of section 43 of the Act of May 12, 1933, as amended (31 U.S.C. 821(b)) [31 U.S.C. 5301(a), (b)] to issue silver certificates against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, to prescribe the denominations of such silver certificates, and to coin standard silver dollars and subsidiary silver currency for their redemption,'' and

(b) By revoking subparagraphs (b) and (c) of paragraph 2 thereof.

SEC. 2. The amendments made by this order shall not affect any act done, or any right accruing or accrued or

any suit or proceeding had or commenced in any civil or criminal cause prior to the date of this order but all such liabilities shall continue and may be enforced as if said amendments had not been made.

JOHN F. KENNEDY.

EX. ORD. NO. 11228. DELEGATION OF FUNCTIONS TO OFFICE OF PERSONNEL MANAGEMENT

Ex. Ord. No. 11228, June 14, 1965, 30 F.R. 7739, as amended by Ex. Ord. No. 11257, Nov. 13, 1965, 30 F.R. 14353; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, provided:

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows—

SECTION 1. The Office of Personnel Management is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority vested in the Office of Personnel Management by Section 605 of the Federal Employees Pay Act of 1945, 59 Stat. 304 (5 U.S.C. 945) [5 U.S.C. 5504(c), 5548, 6101(c)], to issue, subject to the approval of the President, regulations necessary for the administration of certain provisions of that Act insofar as the Act affects officers and employees in or under the executive branch of the Government.

(2) The authority vested in the President by Section 203(f) of the Annual and Sick Leave Act of 1951, 65 Stat. 680 (5 U.S.C. 2062(f)) [5 U.S.C. 6305(a)], to prescribe regulations governing the granting of leave of absence as described in that Section.

(3) Except as to Presidential appointees, the authority vested in the President (A) by Section 204 of the Act of June 30, 1932, 47 Stat. 404 [5 U.S.C. 3323(a)], to exempt from automatic separation from the service under that Section any person when, in his judgment, the public interest so requires and (B) by Section 5(c) of the Civil Service Retirement Act, 70 Stat. 748 (5 U.S.C. 2255(c)) [5 U.S.C. 8335(c)], to exempt from automatic separation from the service under Section 5 of that Act [5 U.S.C. 8335] any employee when, in his judgment, the public interest so requires.

(4) The authority vested in the President by Section 9(b) (8) of the Federal Employees Salary Act of 1965 (approved October 29, 1965) [5 U.S.C. 5595(a)(2)] to prescribe rules and regulations excluding officers or employees from the application of Section 9 of that Act [5 U.S.C. 5595].

(5) The authority vested in the President by Section 9(c) of the Federal Employees Salary Act of 1965 [5 U.S.C. 5595(b)(2)] to prescribe rules and regulations governing severance pay.

SEC. 2. The Director of the Office of Personnel Management is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority vested in the President by Section 304(e) of the Government Employees' Incentive Awards Act, 68 Stat. 1113 (5 U.S.C. 2123(e)) [5 U.S.C. 4502(d)], to determine the activity primarily benefiting, or the various activities benefiting, from any suggestion, invention, superior accomplishment, or other personal effort of any civilian officer or employee of the Government which constitutes the basis of any Presidential award or honorary recognition made or granted under Section 304(b) of that Act (5 U.S.C. 2123(b)) [5 U.S.C. 4501(2)(A), 4504].

SEC 3. The following are hereby superseded:

(1) Part II of Executive Order No. 10530 of May 10, 1954.

(2) Executive Order No. 10682 of October 22, 1956.

(3) Section 5 of Executive Order No. 10800 of January 15, 1959.

(4) Executive Order No. 10835 of August 21, 1959.

(5) So much of Section 2 of Executive Order No. 10903 of January 9, 1961, as added paragraph (e) of Section 2 of Executive Order No. 10530 of May 10, 1954.

SEC. 4. (a) Unless inappropriate, references in this Order to any statute or to any provision of any statute shall be deemed to include references thereto as amended from time to time.

(b) Unless inappropriate, any reference in any Executive order to any Executive order which is superseded by this Order, or to any Executive order provision so superseded, shall hereafter be deemed to refer to this Order or to the provision of Section 1 or Section 2 of this Order, if any, which corresponds to the superseded provision.

SEC. 5. All actions heretofore taken by the President or by his delegates in respect of the matters affected by Sections 1 and 2 of this Order and in force at the time of the issuance of this Order, including any regulations prescribed or approved by the President or by his delegates in respect of such matters, shall, except as they may be inconsistent with the provisions, of this Order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this Order unless sooner terminated by operation of law.

EXECUTIVE ORDER NO. 11230

Ex. Ord. No. 11230, June 28, 1965, 30 F.R. 8847, as amended by Ex. Ord. No. 11275, Mar. 31, 1966, 31 F.R. 5283; Ex. Ord. No. 11290, July 21, 1966, 31 F.R. 10067; Ex. Ord. No. 11294, Aug. 4, 1966, 31 F.R. 10601, delegating certain functions of the President to the Director of the Bureau of the Budget, was superseded by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under this section.

EXECUTIVE ORDER NO. 11294

Ex. Ord. No. 11294, Aug. 4, 1966, 31 F.R. 10601, as amended by Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, which delegated functions of the President to establish maximum rates of per diem allowances for certain travel, was revoked by Ex. Ord. No. 12561, July 1, 1986, 51 F.R. 24299, set out as a note under section 5702 of Title 5, Government Organization and Employees.

EX. ORD. NO. 11390. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE

Ex. Ord. No. 11390, Jan. 22, 1968, 33 F.R. 841, as amended by Ex. Ord. No. 11601, June 29, 1971, 36 F.R. 12473; Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The Secretary of Defense, and, as designated by the said Secretary for this purpose, any of the Secretaries, Under Secretaries, and Assistant Secretaries of the military departments, are hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(1) [Revoked by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617.]

(2), (3) [Revoked by Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897.]

(4) The authority vested in the President by sections 565 and 599 [now 12243] of title 10, United States Code, to suspend, in time of war or emergency, any provision of law relative to promotion and mandatory retirement or separation of warrant officers of the armed forces.

(5) The authority vested in the President by sections 4337 and 9337 of title 10, United States Code, to appoint the chaplains at the United States Military and Air Force Academies.

(6) The authority vested in the President by sections 4302(a) and 9302(a) of title 10, United States Code, to approve regulations concerning instruction of enlisted members of the Army and Air Force.

(7) [Revoked by Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617.]

(8) The authority vested in the President by sections 5139 and 5149 of title 10, United States Code, relating to the retirement of the Chief of the Medical Service Corps, the Deputy Judge Advocate General, and the Assistant Judge Advocate General, of the Navy.

(9) [Revoked by Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897.]

(10) The authority vested in the President by section 2102(a) of title 10, United States Code, to prescribe regulations governing the establishment and maintenance of senior reserve officers' Training Corps units at civilian educational institutions.

(11) The authority vested in the President by section 123 of title 10, and section 111 of title 32, United States Code, to suspend in time of war or national emergency those provisions cited therein relating to promotion of reserve officers.

(12) [Revoked by Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897.]

(13) The authority vested in the President by section 6223(b) of title 10, United States Code, relating to members of the Marine Corps Band.

(14) The authority vested in the President by section 425 of title 37, United States Code, to approve concert tours of the Navy Band and the Marine Corps Band.

(15) [Revoked by Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897.]

SEC. 2. All actions heretofore taken by or for the President with respect to the matters affected by this order and in force and effect at the time of the issuance of this order, including any regulations prescribed or approved by the President with respect to such matters, shall, except as they may be inconsistent with the provisions of this order, remain in force and effect until amended, modified, or revoked pursuant to the authority conferred by this order.

EX. ORD. NO. 11423. DELEGATION OF FUNCTIONS TO SECRETARY OF STATE RESPECTING CERTAIN FACILITIES CONSTRUCTED AND MAINTAINED ON UNITED STATES BORDERS

Ex. Ord. No. 11423, Aug. 16, 1968, 33 F.R. 11741, as amended by Ex. Ord. No. 12847, May 17, 1993, 58 F.R. 29511, provided:

WHEREAS the proper conduct of the foreign relations of the United States requires that executive permission be obtained for the construction and maintenance at the borders of the United States of facilities connecting the United States with a foreign country; and

WHEREAS such executive permission has from time to time been sought and granted in the form of Presidential permits for the construction, connection, operation, and maintenance at the borders of the United States of such border crossing facilities as water supply and oil pipelines, aerial tramways and cable cars, submarine cables, and lines for the transmission of electric energy; and

WHEREAS Executive Order No. 10485 of September 3, 1953 [set out as a note under section 717b of title 15], empowers the Federal Power Commission [Secretary of Energy] to issue permits for the construction, operation, maintenance, or connection, at the borders of the United States, of facilities for the transmission of electric energy between the United States and a foreign country and for the importation or exportation of natural gas to or from a foreign country; and

WHEREAS Executive Order No. 10530 of May 10, 1954 [set out as a note under this section], empowers the Federal Communications Commission to issue and revoke licenses to land submarine cables in the United States; and

WHEREAS it is desirable to provide a systematic method in connection with the issuance of permits for the construction and maintenance of other such facilities connecting the United States with a foreign country:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces of the United States and in conformity with the provisions of section 301 of title 3, United States Code, it is ordered as follows:

SECTION 1. (a) Except with respect to facilities covered by Executive Order Nos. 10485 [15 U.S.C. 717b note] and 10530 [set out above], the Secretary of State is hereby designated and empowered to receive all applications for permits for the construction, connection, operation, or maintenance, at the borders of the United States, of: (i) pipelines, conveyor belts, and similar facilities for the exportation or importation of petroleum, petroleum products, coal, minerals, or other products to or from a foreign country; (ii) facilities for the exportation or importation of water or sewage to or from a foreign country; (iii) facilities for the transportation of persons or things, or both, to or from a foreign country; (iv) bridges, to the extent that congressional authorization is not required; and (v) similar facilities above or below ground.

(b) With respect to applications received pursuant to subsection (a)(i) above, the Secretary of State shall request the views of the Secretary of the Treasury, the Secretary of Defense, the Attorney General, the Secretary of the Interior, the Secretary of Commerce, the Secretary of Transportation, the Interstate Commerce Commission, and the Director of the Office of Emergency Planning. With respect to applications received pursuant to subsection (a)(ii) above, the Secretary of State shall request the views of the Secretary of Defense and the Secretary of the Interior. With respect to applications received pursuant to subsection (a)(iii), (iv) or (v) above, the Secretary of State shall request the views of the Secretary of the Treasury, the Secretary of Defense, the Attorney General, and the Secretary of Transportation.

(c) The Secretary of State may also consult with such other department and agency heads and with such state and local government officials as he deems appropriate with respect to each application. All federal government officials consulted by the Secretary of State pursuant to this section shall provide such information and render such assistance as he may request, consistent with their competence and authority.

(d) If the Secretary of State finds, after consideration of the views obtained pursuant to subsections (b) and (c), that issuance of a permit to the applicant would serve the national interest, he shall prepare a permit, in such form and with such terms and conditions as the national interest may in his judgment require, and shall notify the officials required to be consulted under subsection (b) above of his proposed determination that the permit be issued.

(e) If the Secretary of State finds, after consideration of the views obtained pursuant to subsections (b) and (c), that issuance of a permit to the applicant would not serve the national interest, he shall notify the officials required to be consulted under subsection (b) above of his proposed determination that the application be denied.

(f) The Secretary of State shall issue or deny the permit in accordance with his proposed determination unless, within fifteen days after notification pursuant to subsection (d) or (e) above, an official required to be consulted under subsection (b) above shall notify the Secretary of State that he disagrees with the Secretary's proposed determination and requests the Secretary to refer the application to the President. In the event of such a request, the Secretary of State shall refer the application, together with statements of the views of the several officials involved, to the President for his consideration and final decision.

SEC. 2. (a) The Secretary of State may provide for the publication in the Federal Register of notice of receipt of applications, for the receipt of public comments on applications, and for publication in the Federal Register of notice of issuance or denial of applications.

(b) The Secretary of State is authorized to issue such further rules and regulations, and to prescribe such further procedures, as he may from time to time deem necessary or desirable for the exercise of the authority conferred upon him by this order.

SEC. 3. The authority of the Secretary of State hereunder is supplemental to, and does not supersede, existing authorities or delegations relating to importation, exportation, transmission, or transportation to or from

a foreign country. All permits heretofore issued with respect to matters described in section 1 of this order, and in force at the time of issuance of this order, and all permits issued hereunder, shall remain in effect in accordance with their terms unless and until modified, amended, suspended, or revoked by the President or, upon compliance with the procedures provided for in this order, by the Secretary of State.

[Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise provided in Pub. L. 104–88, to Surface Transportation Board effective Jan. 1, 1996, by section 702 of Title 49, Transportation, and section 101 of Pub. L. 104–88, set out as a note under section 701 of Title 49. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 205 of Pub. L. 104–88, set out as a note under section 701 of Title 49.]

EX. ORD. NO. 11592. DELEGATION OF FUNCTIONS TO DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET

Ex. Ord. No. 11592, May 6, 1971, 36 F.R. 8555, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, the Director of the Office of Management and Budget is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the function of granting the approvals authorized or required to be granted by the President by any of the provisions of the River and Harbor Act of 1970 and the Flood Control Act of 1970, Public Law 91–611, approved December 31, 1970.

RICHARD NIXON.

EX. ORD. NO. 11609. DELEGATION OF CERTAIN FUNCTIONS VESTED IN THE PRESIDENT TO OTHER OFFICERS OF THE GOVERNMENT

Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, as amended by Ex. Ord. No. 11713, Apr. 21, 1973, 38 F.R. 10069; Ex. Ord. No. 11779, Apr. 19, 1974, 39 F.R. 14185; Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055; Ex. Ord. No. 12215, May 27, 1980, 45 F.R. 36043; Ex. Ord. No. 12466, Feb. 27, 1984, 49 F.R. 7349, eff. Nov. 14, 1983; Ex. Ord. No. 12522, June 24, 1985, 50 F.R. 26337, eff. Oct. 12, 1984; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617; Ex. Ord. No. 12822, Nov. 16, 1992, 57 F.R. 54289, eff. Jan. 1, 1992, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. *General Services Administration*. The Administrator of General Services is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under 5 U.S.C. 4111(b) to prescribe regulations with respect to reductions to be made from payments by the Government to employees for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting.

(2) The authority of the President under the last sentence of 5 U.S.C. 5702(a) to establish maximum rates of per diem allowances to the extent that such authority pertains to travel status of employees (as defined in 5 U.S.C. 5701) while enroute to, from, or between localities situated outside the 48 contiguous States of the United States and the District of Columbia.

(3) The authority of the President under 5 U.S.C. 5707 to prescribe regulations necessary for the administration of subchapter I of chapter 57 of title 5 of the United States Code [section 5701 et seq. of title 5] (relating to travel and subsistence expenses and mileage allowances).

(4) The authority of the President under 5 U.S.C. 5722(a) to prescribe regulations with respect to the payment of travel expenses and transportation expenses of household goods and personal effects.

(5) The authority of the President under 5 U.S.C. 5723(a) to prescribe regulations with respect to the payment of travel expenses and transportation expenses.

(6) The authority of the President under 5 U.S.C. 5724 to prescribe the regulations provided for therein (relating to travel and transportation expenses and other matters).

(7)(a) The authority of the President under 5 U.S.C. 5724(a) to prescribe the regulations provided for therein, relating to (i) the availability of appropriations or other funds of agencies for the reimbursement of described expenses of employees for whom the Government pays expenses of travel and transportation under 5 U.S.C. 5724(a), (ii) the entitlement of employees to amounts related to their basic pay, and (iii) the allowance, payment, and receipt of expenses and benefits to former employees who are reemployed by nontemporary appointments.

(b) In consultation with the Secretary of the Treasury, the authority of the President under 5 U.S.C. 5724b to prescribe the regulations provided for therein relating to reimbursement of Federal, State, and city income taxes for travel, transportation, and relocation expenses of employees, transferred at Government expense, furnished in kind or for which reimbursement or an allowance is provided.

(c) The authority of the President under 5 U.S.C. 5724c to prescribe the regulations provided for therein pursuant to which each agency shall carry out its responsibilities under 5 U.S.C. 5724c; *provided*, that the Director of Central Intelligence, after consultation with the Administrator of General Services, shall prescribe such regulations for the Central Intelligence Agency.

(8) The authority of the President under 5 U.S.C. 5726 to prescribe the regulations provided for therein, relating to (i) the definition of ''household goods and personal effects'', (ii) allowable storage expenses and related transportation, and (iii) the allowance of nontemporary storage expenses or storage at Government expense in Government-owned facilities (including related transportation and other expenses).

(9) The authority of the President under 5 U.S.C. 5727 to prescribe the regulations provided for therein, relating to the transportation at Government expense of privately owned motor vehicles.

(10) The authority of the President under 5 U.S.C. 5728 (a) and (b) to prescribe the regulations provided for therein, relating to the payment by an agency from its appropriations of the expenses of round trip travel of an employee, and the transportation of his immediate family, in described circumstances.

(11) The authority of the President under 5 U.S.C. 5729(a) and (b) to prescribe the regulations provided for therein, relating to (i) the payment by an agency from its appropriations of the expenses of transporting the immediate family of an employee and of shipping his household goods and personal effects, and (ii) the reimbursement from its appropriations by an agency of an employee for the proper transportation expense of returning his immediate family and household goods and personal effects, both in described circumstances.

(12) The authority of the President under 5 U.S.C. 5731(a) to prescribe the regulations provided for therein, relating to certifications respecting transportation accommodations.

(13) The authority of the President under 5 U.S.C. 5742(b) to prescribe regulations with respect to the payment of expenses when an employee dies.

(14) The authority of the President under the last sentence of paragraph (c) of section 32 of title III of the Act of July 22, 1937, c. 517, 50 Stat. 525 (7 U.S.C. 1011(c)), to transfer to Federal, State, or Territorial agencies lands acquired by the Secretary of Agriculture under section 32(a) of that Act.

(15) The authority of the President under section 340 of the Consolidated Farmers Home Administration Act of 1961, 75 Stat. 318 (7 U.S.C. 1990), in his discretion to transfer to the Secretary of Agriculture any right, interest or title held by the United States in any lands acquired in the program of national defense and no longer needed for that program, and to determine the suitability of the lands to be transferred, for the pur-

poses referred to in that section: *Provided*, That the exercise by the Administrator of the authority delegated to him by this paragraph (15) shall require the concurrence of the Secretary of Defense as to the absence of further need of the lands for the national defense program.

(16) The authority of the President under section 4(k) of the Tennessee Valley Authority Act, 55 Stat. 599 (16 U.S.C. 831c(k)), to approve transfers under paragraphs (a) and (c) of that section, other than leases for terms of less than 20 years and conveyances of property having a value not in excess of $500.

(17) The authority of the President under section 7(b) of the Tennessee Valley Authority Act of May 18, 1933, 48 Stat. 63 (16 U.S.C. 831f(b)), to provide for the transfer to the Tennessee Valley Authority of the use, possession, and control of real or personal property of the United States deemed by the Administrator of General Services to be necessary and proper for the purposes of that Authority as stated in that Act.

(18) The authority of the President under section 1 of the Act of March 4, 1927, c. 505, 44 Stat. 1422 (20 U.S.C. 191), to transfer to the jurisdiction of the Secretary of Agriculture for the purposes of that Act any land belonging to the United States within or adjacent to the District of Columbia located along the Anacostia River North of Benning Bridge.

(19) That part of the authority of the President under section 7(a) of the Act of July 17, 1959, P.L. 86–91, 73 Stat. 216, as amended (20 U.S.C. 905(a)), which consists of authority to prescribe regulations relating to storage (including packing, drayage, unpacking, and transportation to and from storage) of household effects and personal possessions.

(20) The authority of the Administrator of General Services under section 210(i) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(i)) to prescribe regulations relating to the installation, repair, and replacement of sidewalks.

(21) The authority of the President under section 108 of the Housing Act of July 15, 1949, c. 338, 63 Stat. 419, as amended (42 U.S.C. 1458), to transfer, or cause to be transferred, to the Secretary of Housing and Urban Development any right, title or interest held by the Federal Government or any department or agency thereof in any land (including buildings thereon) which is surplus to the needs of the Government and which a local public agency certifies will be within the area of a project being planned by it.

(22), (23) [Revoked by Ex. Ord. No. 12215, May 27, 1980, 45 F.R. 36043.]

SEC. 2. *Department of the Treasury*. The Secretary of the Treasury is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority under 5 U.S.C. 5943(a) to make recommendations to the President concerning the meeting of losses sustained by employees and members of the uniformed services while serving in a foreign country due to appreciation of foreign currency in its relation to the American dollar.

(2) The authority under 5 U.S.C. 5943(d) to report annually to the Congress on expenditures made under 5 U.S.C. 5943(d).

SEC. 3. *Department of Health and Human Services*. The Secretary of Health and Human Services is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under the first section of the Act entitled ''An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes,'' approved June 20, 1936, 49 Stat. 1559, as amended (20 U.S.C. 107), to approve regulations prescribed by the heads of the respective departments and agencies thereunder.

(2) The authority of the Secretary of Health and Human Services under section 2 of the Act of August 4, 1947, c. 478, 61 Stat. 751, as amended (24 U.S.C. 168a) to fix per diem rates for care of patients in Saint Elizabeths Hospital.

SEC. 4. (a) *Department of State*. The Secretary of State is hereby designated and empowered to exercise his authority under section 12 of the Act of August 1, 1956, 70 Stat. 892 (22 U.S.C. 2679) (being authority to prescribe certain maximum rates of per diem in lieu of subsistence (or of similar allowances therefor)), without the approval, ratification, or other action of the President.

(b) The Secretary of State is hereby designated and empowered to exercise the authority of the President under section 9 of the United Nations Participation Act of 1945 (59 Stat. 619), as amended by section 15 of Public Law 93–126 (87 Stat. 454–455) [22 U.S.C. 287e–1].

SEC. 5. *Department of Defense*. The Secretary of Defense is hereby designated and empowered to exercise the authority of the President under the last sentence of section 4 of the Act of May 10, 1943, c. 95, 57 Stat. 81 (24 U.S.C. 34) to prescribe from time to time uniform rates of charges for hospitalization and dispensary services: *Provided*, That the authority hereby delegated may not be redelegated to any officer in the Department of the Navy, Department of the Air Force, or Department of the Army.

SEC. 6. *Department of Health and Human Services; Department of Defense*. The following are hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority of the President under 10 U.S.C. 1085 to establish uniform rates of reimbursement for inpatient medical or dental care:

(1) The Secretary of Health and Human Services in respect of such care in a facility under his jurisdiction.

(2) The Secretary of Defense in respect of such care in a facility of an armed force under the jurisdiction of a military department.

SEC. 7. *Veterans Administration*. (a) The Administrator of Veterans Affairs is hereby designated and empowered to exercise the authority of the President under 10 U.S.C. 1074(b) to approve uniform rates of reimbursement for care provided in facilities operated by the Administrator.

(b) Section 2 of Executive Order No. 11302 of September 6, 1966, as amended by Executive Order No. 11429 of September 9, 1968 [set out as a note under section 111 of Title 38, Veterans' Benefits], is hereby further amended by substituting for the words ''allowance of not more than six cents a mile'' the following: ''allowance, in such amount per mile as the Administrator shall from time to time fix pursuant to 38 U.S.C. 111 as affected by this order,''.

SEC. 8. *Office of Personnel Management*. The Office of Personnel Management is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under 5 U.S.C. 5514(b) to approve regulations prescribed by the head of each agency to carry out 5 U.S.C. 5514 and section 3(a) of the Act of July 15, 1954, c. 509, 68 Stat. 483, 31 U.S.C. 581d [31 U.S.C. 3530(d)] (relating to installment deductions from pay for indebtedness because of erroneous payment).

(2) The authority of the President under 5 U.S.C. 5903 to prescribe regulations necessary for the uniform administration of subchapter I of chapter 59 of title 5 of the United States Code [5 U.S.C. 5901 et seq.] (relating to uniform allowances).

(3) The authority of the President under 5 U.S.C. 5942 to prescribe regulations establishing rates at which an allowance based on duty (except temporary duty) at remote work sites will be paid and defining and designating the sites, areas and groups of positions to which the rates apply.

(4) The authority of the President under 5 U.S.C. 5942a to prescribe regulations governing the payment of allowances to employees assigned to duty at Johnston Island for the purposes of maintaining the employees' spouses or dependents, or both, at a location other than Johnston Island.

SEC. 9. *Office of Management and Budget*. The Director of the Office of Management and Budget is hereby des-

ignated and empowered to exercise, without the approval, ratification, or other action of the President, the following:

(1) The authority of the President under 5 U.S.C. 5911(f) to issue the regulations provided for therein (relating to the provision, occupancy, and availability of quarters and facilities, the determination of rates and charges therefor, and other related matters, as are necessary and appropriate to carry out the provision of section 5911).

(2) The authority of the President under 10 U.S.C. 126(a) to approve the transfers of balances of appropriations provided for therein.

(3) The authority of the President under section 202 of the Budget and Accounting Procedures Act of September 12, 1950, 64 Stat. 833 (31 U.S.C. 581c) [31 U.S.C. 1531] to approve the transfers of balances of appropriations provided for in subsections (a) and (b) of that section.

(4) The authority of the President under the last sentence of section 11 of the Act of June 6, 1924, c. 270, 43 Stat. 463 (40 U.S.C. 72), to approve (i) the designation of lands to be acquired by condemnation, (ii) contracts for purchase of lands, and (iii) agreements between the National Capital Planning Commission and officials of the States of Maryland and Virginia.

(5) The authority of the President under section 1 of the Act of December 22, 1928, c. 48, 45 Stat. 1070 (40 U.S.C. 72a), to approve contracts for acquisition of land subject to limited rights reserved to the grantor and for the acquisition of limited permanent rights in land adjoining park property.

(6) The authority of the President under section 407(b) of the Act of August 30, 1957, 71 Stat. 556 (42 U.S.C. 1594j(b)) [see 10 U.S.C. 2830], to approve regulations (relating to the rental of substandard housing for members of the uniformed services) prescribed pursuant to that section. The Secretaries referred to in section 407(c) of that Act shall furnish the Director of the Office of Management and Budget such reports with respect to matters within the scope of the regulations so approved as he may require and at such times as he may specify.

(7) The authority of the President under 44 U.S.C. 1108 to approve the use, from the appropriations available for printing and binding, of such sums as are necessary for the printing of journals, magazines, periodicals, and similar publications.

(8) The authority of the President under the paragraph appearing under the heading ''Expenses of Management Improvement'' in title III of the Treasury, Post Office, and Executive Office Appropriation Act, 1971, P.L. 91–422, 84 Stat. 877, or by any reenactment of the provisions of that paragraph in the same or in a different amount of funds, to allocate to any agency or office of the executive branch (including the Office of Management and Budget) funds appropriated by that paragraph or by any such reenactment of it. The Director of the Office of Management and Budget shall from time to time report to the President concerning activities carried on by executive agencies and offices with funds allocated under this paragraph and shall, consonant with law, exercise such direction and control with respect to those activities as he shall deem appropriate.

SEC. 10. *General Provisions*. (a) Unless inappropriate, any reference in this order to any provision of law shall be deemed to include reference thereto as amended from time to time and as affected by Reorganization Plan No. 2 of 1970 (35 F.R. 7959).

(b) Unless inappropriate, any reference in any Executive order to any Executive order which is superseded by this order, or to any Executive order provision so superseded, shall hereafter be deemed to refer to this order or to the provision of the preceding section of this order, if any, which corresponds to the superseded provision.

(c) All actions heretofore taken by the President, the Director of the Bureau of the Budget, or the Director of the Office of Management and Budget in respect of the matters affected by the provisions of the preceding sections of this order and in force at the time of the issuance of this order, including any regulations prescribed or approved by any of them in respect of such matters, shall, except as may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order unless sooner terminated by operation of law.

SEC. 11. *Orders superseded*. The following are hereby superseded:

(1) Executive Order No. 10604 of April 22, 1955.

(2) Executive Order No. 11230 of June 28, 1965.

(3) Executive Order No. 11275 of March 31, 1966.

(4) Executive Order No. 11290 of July 21, 1966.

(5) Section 3 of Executive Order No. 11294 of August 4, 1966.

(6) To the extent that it is inconsistent with this order, Executive Order No. 11541 of July 1, 1970.

SEC. 12. *Taking effect*. This order shall be effective immediately except that paragraphs (1) to (13), inclusive, and paragraph (19), of section 1 hereof shall become effective ninety days after the date of this order.

CHANGE OF NAME

References to Administrator of Veterans' Affairs and to Veterans' Administration deemed to refer to Secretary of Veterans Affairs and to Department of Veterans Affairs, respectively, pursuant to section 10 of Pub. L. 100–527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

EX. ORD. NO. 11690. DELEGATION OF FUNCTIONS TO EXECUTIVE DIRECTOR OF DOMESTIC COUNCIL

Ex. Ord. No. 11690, Dec. 14, 1972, 37 F.R. 26815, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States, Part II of Reorganization Plan No. 2 of 1970 [set out in 5 App. U.S.C.], and as President of the United States, it is ordered as follows:

SECTION 1. *Functions of the Executive Director of the Domestic Council*. In addition to the functions heretofore assigned, the Executive Director of the Domestic Council shall assist the President with respect to intergovernmental relations generally. In addition, he shall:

(1) serve as the coordinator for the prompt handling and solution of Federal-State-local problems brought to the attention of the President or Vice President by executive and legislative officers of State and local governments;

(2) identify and report to the President on recurring intergovernmental problems of a Federal interdepartmental and interprogram nature;

(3) explore and report to the President on ways and means of strengthening the headquarters and interagency relationships of Federal field offices as they relate to intergovernmental activities;

(4) maintain continuing liaison with intergovernmental units in Federal departments and agencies; and

(5) review procedures utilized by Federal executive agencies for affording State and local officials an opportunity to confer and comment on Federal assistance programs and other intergovernmental issues, and propose methods of strengthening such procedures.

SEC. 2. *Administrative Arrangements*. (a) All Federal departments, agencies, and interagency councils and committees having an impact on intergovernmental relations, and all Federal Executive Boards, shall extend full cooperation and assistance to the Director in carrying out his responsibilities under this order. The Director shall, upon request, assist all Federal departments and agencies with problems that may arise between them and the executive agencies or elected officials of State and local governments.

(b) The head of each Federal department and agency shall designate an appropriate official with broad general experience in his department or agency to serve, upon request of the Director, as a point of contact in

carrying out Federal-State-local liaison activities under this order.

SEC. 3. *Construction*. Nothing in this order shall be construed as subjecting any department, establishment, or other instrumentality of the executive branch of the Federal Government or the head thereof, or any function vested by law in or assigned pursuant to law, to any such agency or head, to the authority of any other such agency or head or as abrogating, modifying, or restricting any such function in any manner.

SEC. 4. *Revocation*. Executive Order No. 11455 of February 14, 1969, entitled ''Establishing an Office of Intergovernmental Relations'', is hereby revoked.

SEC. 5. *Records, Property, Personnel, and Funds*. The records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of the Office of Intergovernmental Relations are hereby transferred to the Domestic Council.

SEC. 6. *Effective Date*. This Order shall be effective thirty days after this date.

RICHARD NIXON.

ABOLITION OF DOMESTIC COUNCIL

The Domestic Council, referred to in section 5 of Ex. Ord. No. 11690, Dec. 14, 1972, 31 F.R. 26815, was abolished and its functions transferred to the President with power to delegate such functions within the Executive Office of the President pursuant to Reorg. Plan No. 1 of 1977, §§1, 3, 5D, 42 F.R. 56101, 91 Stat. 1633, set out preceding section 101 of this title, effective on or before Apr. 1, 1978, at such time as specified by the President. Ex. Ord. No. 12045, Mar. 27, 1978, 43 F.R. 13347, set out preceding section 101 of this title, provided that the abolition and transfer of functions of the Domestic Council be effective Mar. 26, 1978.

EXECUTIVE ORDER NO. 11713

Ex. Ord. No. 11713, Apr. 21, 1973, 38 F.R. 10069, which related to the delegation of functions to the Administrator of General Services, was revoked by section 1–404 of Ex. Ord. No. 12215, May 27, 1980, 45 F.R. 36045, set out as a note under section 3601 of Title 22, Foreign Relations and Intercourse.

EX. ORD. NO. 11732. DELEGATION OF FUNCTIONS TO SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Ex. Ord. No. 11732, July 30, 1973, 38 F.R. 20429, provided:

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, the Secretary of Housing and Urban Development is hereby designated and empowered to exercise, without approval, ratification, or other action by the President, the functions vested in the President by sections 305 and 301 of the National Housing Act, as amended (12 U.S.C. 1720 and 1716, respectively), relating to the authorization of the purchase of mortgages by the Government National Mortgage Association in connection with its special assistance functions and the determination that such action is in the public interest.

RICHARD NIXON.

EXECUTIVE ORDER NO. 11784

Ex. Ord. No. 11784, May 30, 1974, 39 F.R. 19443, which related to the delegation of certain authority to the Administrator of General Services to issue regulations relating to joint funding, was superseded by Ex. Ord. No. 11867, June 19, 1975, 40 F.R. 26253, formerly set out as a note under section 7103 of Title 31, Money and Finance.

EX. ORD. NO. 12001. TRANSFERRING CERTAIN BICENTENNIAL FUNCTIONS TO SECRETARY OF THE INTERIOR

Ex. Ord. No. 12001, June 29, 1977, 42 F.R. 33709, provided:

By virtue of the authority vested in me by Section 7(b) of the Act of December 11, 1973 (87 Stat. 701) [Pub. L. 93–179], hereinafter referred to as the Act, Section 202(b) of the Budget and Accounting Procedures Act of 1950 (64 Stat. 838, 31 U.S.C. 581c(b)) [31 U.S.C. 1531], and Section 301 of Title 3 of the United States Code, and as President of the United States of America it is hereby ordered as follows:

SECTION 1. The Secretary of the Interior, hereinafter referred to as the Secretary, shall, through existing National Park Service programs, provide for the continuation of appropriate commemoration of events relating to the American Revolution until December 31, 1983.

SEC. 2. The Secretary shall administer existing contracts and grants of the American Revolution Bicentennial Administration, hereinafter referred to as ARBA.

SEC. 3. In performing the functions described in Sections 1 and 2 of this Order, the Secretary may, in addition to any other available authority, exercise the following powers under the Act which are hereby transferred to him for such purposes until December 31, 1983, except as otherwise provided in subsection (b) of this Section:

(a) All powers described in Section 2(f) of the Act with respect to the expenditure of funds donated to ARBA prior to the effective date of this Order, and the expenditure of revenues received or which may be received pursuant to contracts described in Section 2 of this Order.

(b) Until December 31, 1977, all powers exercised by ARBA prior to the effective date of this Order which relate to enforcement of Section 2(i) of the Act.

(c) All powers described in Section 5(a) of the Act.

SEC. 4. All personnel, records, property and appropriations, including all funds and revenues described in Section 3(a) of this Order, as relate to the powers and functions assigned or transferred by this Order are hereby transferred to the Secretary.

SEC. 5. The Director of the Office of Management and Budget shall make such determinations and issue such orders as may be necessary or appropriate to carry out the transfers provided by this Order.

SEC. 6. Executive Order No. 11840 of February 18, 1975, is hereby revoked.

SEC. 7. This Order shall be effective June 30, 1977.

JIMMY CARTER.

EX. ORD. NO. 12152. DELEGATION OF FUNCTIONS TO DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET

Ex. Ord. No. 12152, Aug. 14, 1979, 44 F.R. 48143, provided:

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 301 of Title 3 of the United States Code, and in order to ensure the continued delegation of certain functions which had been previously assigned but which are now vested directly in the President by virtue of H.R. 4616 [Pub. L. 96–54, Aug. 14, 1979, 93 Stat. 381] that I have signed into law today, it is hereby ordered that the functions vested in the President by Sections 305(b), 4111(b), and 4112(a) of Title 5 of the United States Code are hereby delegated to the Director of the Office of Management and Budget.

JIMMY CARTER.

EX. ORD. NO. 12396. DELEGATION OF FUNCTIONS TO SECRETARY OF DEFENSE

Ex. Ord. No. 12396, Dec. 9, 1982, 47 F.R. 55897, provided:

By the authority vested in me as President of the United States of America by Section 301 of Title 3 of the United States Code, and in order to delegate certain functions concerning the appointment, promotion, and retirement of commissioned officers of the Armed Forces, it is hereby ordered as follows:

SECTION 1. The Secretary of Defense is designated to perform, without approval, ratification, or other action by the President, the following functions vested in the President:

(a) The authority vested in the President by Sections 618(b)(1) and 628(d)(1) of Title 10 of the United States

Code, to approve, modify, or disapprove the report of a selection board.

(b) The authority vested in the President by Section 629(a) of Title 10 of the United States Code, to remove the name of any officer from a promotion list to any grade below commodore or brigadier general.

(c) The authority vested in the President by Section 624(c) of Title 10 of the United States Code, to appoint officers in the grades of first lieutenant and captain in the Army, Air Force, and Marine Corps or in the grades of lieutenant (junior grade) and lieutenant in the Navy.

(d) The authority vested in the President by Section 5721(c) of Title 10 of the United States Code, to make certain temporary appointments to the grade of lieutenant commander.

(e) The authority vested in the President by Section 6323(a) of Title 10 of the United States Code, to approve the application of an officer of the Navy or the Marine Corps for retirement after the completion of more than 20 years of active service and to designate the month in which such retirements shall become effective.

(f) The authority vested in the President by Sections 3918 and 8918 of Title 10 of the United States Code, to approve the request of a regular commissioned officer of the Army or the Air Force to retire after at least 30 years of service.

(g) Nothing in this Section shall be deemed to delegate the authority vested in the President by Section 618(c) of Title 10 to remove a name from a selection board report.

SEC. 2. (a) The Secretary of Defense is designated to perform during a time of war or national emergency the following functions vested in the President, without the approval, ratification, or other action by the President.

(1) The authority vested in the President by Section 526 of Title 10 of the United States Code, to suspend the operation of any provision of Sections 523, 524 [now 12011], or 525 of Title 10 of the United States Code, relating to the authorized strength of commissioned officers.

(2) The authority vested in the President by subsections (a) and (b) of Section 603 of Title 10 of the United States Code, to make or vacate certain temporary commissioned appointments.

(3) The authority vested in the President by Section 644 [see 123] of Title 10 of the United States Code, to suspend the operation of any law relating to the promotion, involuntary retirement, or separation of commissioned officers of the Army, Navy, Air Force, or Marine Corps.

(b) The authority delegated to the Secretary of Defense by this Section may not be exercised during the time of a national emergency declared by the President, unless the exercise of any such authority is specifically directed by the President in accordance with Section 301 of the National Emergencies Act (50 U.S.C. 1631).

(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

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SUBCHAPTER II—EXTENSION OF RIGHTS AND PROTECTIONS

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451. Procedure for consideration of alleged violations.
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SUBCHAPTER IV—EFFECTIVE DATE

471. Effective date.

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.

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.

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