

published by it in Federal Register, see section 16(a), formerly section 15(a) of Pub. L. 91-375, set out as an Effective Date note preceding section 101 of Title 39, Postal Service.

#### EFFECTIVE DATE OF 1966 AMENDMENT

Amendment by Pub. L. 89-670 effective Apr. 1, 1967, as prescribed by President and published in Federal Register, see section 16(a), formerly §15(a), of Pub. L. 89-670, and Ex. Ord. No. 11340, Mar. 30, 1967, 32 F.R. 5453.

#### EFFECTIVE DATE OF 1965 AMENDMENT

Amendment by Pub. L. 89-174 effective upon expiration of first period of sixty calendar days following Sept. 9, 1965 or on earlier date specified by Executive order, see section 11(a) of Pub. L. 89-174 set out as an Effective Date note under section 3531 of Title 42, The Public Health and Welfare.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 section 871.

### § 20. Resignation or refusal of office

The only evidence of a refusal to accept, or of a resignation of the office of President or Vice President, shall be an instrument in writing, declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State.

(June 25, 1948, ch. 644, 62 Stat. 678.)

#### PRESIDENTIAL RECORDINGS AND MATERIALS PRESERVATION ACT

For protection and preservation of tape recordings of conversations involving former President Richard M. Nixon, see sections 101 to 106 of Pub. L. 93-526, set out as a note under section 2107 of Title 44, Public Printing and Documents.

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 18 section 871.

### § 21. Definitions

As used in this chapter the term—

(a) “State” includes the District of Columbia.

(b) “executives of each State” includes the Board of Commissioners of the District of Columbia.

(Added Pub. L. 87-389, §2(a), Oct. 4, 1961, 75 Stat. 820.)

#### TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, functions of Board of Commissioners of District of Columbia transferred to Commissioner of District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. Office of Commissioner of District of Columbia, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by office of Mayor of District of Columbia by section 421 of Pub. L. 93-198.

## CHAPTER 2—OFFICE AND COMPENSATION OF PRESIDENT

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101.	Commencement of term of office.
102.	Compensation of the President.
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106.	Assistance and services for the Vice President.
107.	Domestic Policy Staff and Office of Administration; personnel.
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109.	Public property in and belonging to the Executive Residence at the White House.
110.	Furniture for the Executive Residence at the White House.
111.	Expense allowance of Vice President.
112.	Detail of employees of executive departments.
113.	Personnel report.
114.	General pay limitation.
115.	Veterans' preference.

#### AMENDMENTS

1998—Pub. L. 105-339, §4(b)(2), Oct. 31, 1998, 112 Stat. 3185, added item 115.

1978—Pub. L. 95-570, §§1(b), 2(b), 3(b), 5(b)(2), (c)(2), Nov. 2, 1978, 92 Stat. 2447, 2449, 2450, 2451, substituted in item 105 “Assistance and services for the President” for “Compensation of secretaries and executive, administrative, and staff assistants to President”; in item 106 “Assistance and services for the Vice President” for “Administrative assistants”; in item 107 “Domestic Policy Staff and Office of Administration; personnel” for “Detail of employees of executive departments to office of President”; in item 108 “Assistance to the President for unanticipated needs” for “Accommodations for vehicles”; and in item 109 “the Executive Residence at the White House” for “Executive Mansion”; inserted in item 110 “the Executive Residence at the” before “White House”; and added items 112, 113 and 114.

#### EXECUTIVE OFFICE PERSONNEL BACKGROUND INVESTIGATIONS; LEAVES OF ABSENCE

Pub. L. 103-329, title VI, §632, Sept. 30, 1994, 108 Stat. 2425, provided that:

“(a) IN GENERAL.—Hereafter, the employment of any individual within the Executive Office of the President shall be placed on leave without pay status if the individual—

“(1) has not, within 30 days of commencing such employment or by October 31, 1994 (whichever occurs later), submitted a completed questionnaire for sensitive positions (SF-86) or equivalent form; or

“(2) has not, within 6 months of commencing such employment or by October 31, 1994 (whichever occurs later), had his or her background investigation, if completed, forwarded by the counsel to the President to the United States Secret Service for issuance of the appropriate access pass.

“(b) EXEMPTION.—Subsection (a) shall not apply to any individual specifically exempted from such subsection by the President or his designee.”

[For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

#### REORGANIZATION PLAN NO. 1 OF 1977

42 F.R. 56101, 91 Stat. 1633, as amended by Pub. L. 97-195, §1(c)(5), June 16, 1982, 96 Stat. 115

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, July 15, 1977,<sup>1</sup> pursuant to the provisions of Chapter 9 of Title 5 of the United States Code.

<sup>1</sup> As amended Sept. 15, 1977.

## EXECUTIVE OFFICE OF THE PRESIDENT

## SECTION 1. REDESIGNATION OF DOMESTIC COUNCIL STAFF

The Domestic Council staff is hereby designated the Domestic Policy Staff and shall consist of such staff personnel as are determined by the President to be necessary to assure that the needs of the President for prompt and comprehensive advice are met with respect to matters of economic and domestic policy. The staff shall continue to be headed by an Executive Director who shall be an Assistant to the President, designated by the President, as provided in Section 203 of Reorganization Plan No. 2 of 1970 [set out in Title 5, Appendix]. The Executive Director shall perform such functions as the President may from time to time direct.

## SEC. 2. ESTABLISHMENT OF AN OFFICE OF ADMINISTRATION

There is hereby established in the Executive Office of the President the Office of Administration which shall be headed by the President. There shall be a Director of the Office of Administration. The Director shall be appointed by the President and shall serve as chief administrative officer of the Office of Administration. The President is authorized to fix the compensation and duties of the Director.

The Office of Administration shall provide components of the Executive Office of the President with such administrative services as the President shall from time to time direct.

## SEC. 3. ABOLITION OF COMPONENTS

The following components of the Executive Office of the President are hereby abolished:

- A. The Domestic Council;
- B. The Office of Drug Abuse Policy;
- C. The Office of Telecommunications Policy; and
- D. The Economic Opportunity Council.

## SEC. 4. APPOINTMENT OF THE ASSISTANT SECRETARY OF COMMERCE FOR COMMUNICATIONS AND INFORMATION

There shall be in the Department of Commerce an Assistant Secretary for Communications and Information who shall be appointed by the President, by and with the advice and consent of the Senate. [As amended Pub. L. 97-195, §1(c)(5), June 16, 1982, 96 Stat. 115.]

## SEC. 5. TRANSFERS OF FUNCTIONS

The following functions shall be transferred:

A. All functions vested in the Director of the Office of Science and Technology Policy and in the Office of Science and Technology Policy pursuant to sections 205(a)(2), 206 and 209 of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (Public Law 94-282; 90 Stat. 459) [42 U.S.C. 6614(a)(2), 6615 and 6618], are hereby transferred to the Director of the National Science Foundation. The Intergovernmental Science, Engineering, and Technology Advisory Panel, the President's Committee on Science and Technology, and the Federal Coordinating Council for Science, Engineering and Technology, established in accordance with the provisions of Titles II, III, IV of the National Science and Technology Policy, Organization, and Priorities Act of 1976 [42 U.S.C. 6611 et seq., 6631 et seq., and 6651 et seq.], are hereby abolished, and their functions transferred to the President.

B. Those functions of the Office of Telecommunications Policy and of its Director relating to:

- (1) the preparation of Presidential telecommunications policy options including, but not limited to those related to the procurement and management of Federal telecommunications systems, national security, and emergency matters; and
- (2) disposition of appeals from assignments of radio frequencies to stations of the United States Government;

are hereby transferred to the President who may delegate such functions within the Executive Office of the

President as the President may from time to time deem desirable. All other functions of the Office of Telecommunications Policy and of its Director are hereby transferred to the Secretary of Commerce who shall provide for the performance of such functions.

C. The functions of the Office of Drug Abuse Policy and its Director are hereby transferred to the President, who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable.

D. The functions of the Domestic Council are hereby transferred to the President, who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable.

E. Those functions of the Council on Environmental Quality and the Office of Environmental Quality relating to the evaluation provided for by Section 11 of the Federal Nonnuclear Energy Research and Development Act of 1974 (Public Law 93-577, 88 Stat. 1878) [42 U.S.C. 5910], are hereby transferred to the Administrator of the Environmental Protection Agency.

F. Those functions of the Office of Management and Budget and its Director relating to the Committee Management Secretariat (Public Law 92-463, 86 Stat. 770, as amended by Public Law 94-409, 90 Stat. 1247) [see section 7 of the Federal Advisory Committee Act, Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 774, as amended, set out in Title 5, Appendix] are hereby transferred to the Administrator of General Services.

G. The functions of the Economic Opportunity Council are hereby transferred to the President, who may delegate such functions within the Executive Office of the President as the President may from time to time deem desirable.

## SEC. 6. INCIDENTAL TRANSFERS

So much of the personnel, property, records, and unexpended balances of appropriations, allocations and other funds employed, used, held, available, or to be made available in connection with the functions transferred under this Plan, as the Director of the Office of Management and Budget shall determine, shall be transferred to the appropriate department, agency, or component at such time or times as the Director of the Office of Management and Budget shall provide, except that no such unexpended balances transferred shall be used for purposes other than those for which the appropriation was originally made. The Director of the Office of Management and Budget shall provide for terminating the affairs of all agencies abolished herein and for such further measures and dispositions as such Director deems necessary to effectuate the purposes of this Reorganization Plan.

## SEC. 7. EFFECTIVE DATE

This Reorganization Plan shall become effective at such time or times on or before April 1, 1978, as the President shall specify, but not sooner than the earliest time allowable under Section 906 of Title 5 of the United States Code.

## MESSAGE OF THE PRESIDENT

To the Congress of the United States:

I herewith transmit my plan for the Reorganization of the Executive Office of the President (EOP), Reorganization Plan No. 1 of 1977. This plan is the first of a series I intend to submit under the reorganization authority vested in me by the Reorganization Act of 1977 (Public Law 95-17) [5 U.S.C. 901-912]. It adheres to the purposes set forth in Section 901(a) of the Act [5 U.S.C. 901(a)].

This plan in conjunction with the other steps I am taking will:

Eliminate seven of the seventeen units now within the EOP and modify the rest. There were 19 units when I took office; the President's Foreign Intelligence Advisory Board and the Economic Policy Board have already been abolished. Thus with this plan I will have eliminated nine of 19 EOP units.

Reduce EOP staffing by about 250 which includes the White House staff reduction of 134 or 28 percent which I have already ordered.

Improve efficiency by centralizing administrative functions; and

Improve the process by which information is provided for Presidential decisionmaking.

These recommendations arise from a careful, systematic study of the EOP. They are based on the premise that the EOP exists to serve the President and should be structured to meet his needs. They will reduce waste and cost while improving the service the President, and the nation, receive from the EOP.

The EOP now consists of the immediate White House Office, the Vice President's Office, the Office of Management and Budget, and fourteen other agencies. The EOP has a budget authority of about \$80,000,000 and 1,712 full time employees.

The White House Office concentrates on close personal support including policy and political advice and administrative and operational services. The Office of the Vice President provides similar support to him. OMB's primary mission is to develop and implement the budget; it also carries out a number of management and reorganization activities.

Three EOP units have responsibility for policy development:

- National Security Council.
- Domestic Council.
- Council on International Economic Policy.

The other 11 are more specialized offices that offer analysis and advice, help develop policy in certain areas, or carry out special projects. These are:

- Council of Economic Advisers.
- Council on Wage and Price Stability.
- Office of the Special Representative for Trade Negotiations.
- Council on Environmental Quality.
- Office of Science and Technology Policy.
- Office of Drug Abuse Policy.
- Office of Telecommunications Policy.
- Intelligence Oversight Board.
- Federal Property Council.
- Energy Resources Council.
- Economic Opportunity Council.

To make the EOP more effective, four steps are necessary:

- I. Strengthen management of policy issues.
- II. Limit the EOP, wherever possible, to functions directly related to the President's work.
- III. Centralize administrative services.
- IV. Reduce size of White House and EOP staffs.

#### I. STRENGTHEN PROCESS MANAGEMENT OF POLICY ISSUES

Perhaps the most important function of the President's staff is to make sure he has the wide variety of views and facts he needs to make decisions. By building a more orderly system for collecting information and advice, the President can make sure that he will hear all the views he should—and hear them in time. To better insure that this happens, I am taking the following actions to:

Institute for domestic and economic issues, a system similar to the Presidential Review Memorandum process currently used for National Security issues.

Create a committee of Presidential advisers, chaired by the Vice President, to set priorities among issues and oversee their staffing.

Assure that Presidential decision memoranda on policy issues are coordinated with Cabinet and EOP advisers most involved with the issue.

Consolidate under the Staff Secretary the two current White House paper circulation systems.

Appoint a group of advisers to review the decision-making process periodically.

Give the Assistant to the President for Domestic Affairs and Policy clear responsibility for managing the way in which domestic and most economic policy issues are prepared for Presidential decision.

Assign follow-up responsibility for Presidential decisions as follows: immediate follow-up will be han-

dled by the NSC or Domestic Policy Staff most directly involved in the issue; long term follow-up on selected issues will be handled by the Assistant to the President for Intergovernmental Relations.

These actions recognize that the White House and Executive Office staff must use their proximity to the President to insure that the full resources of the government and the public are brought to bear on Presidential decisions in a timely fashion. It is my purpose in instituting these changes to strengthen Cabinet participation in Presidential decisions.

#### II. RATIONALIZE EOP STRUCTURE BY LIMITING EOP, WHEREVER POSSIBLE, TO FUNCTIONS WHICH BEAR A CLOSE RELATIONSHIP TO THE WORK OF THE PRESIDENT

As the President's principal staff institution, there are several major things the EOP must do:

Provide day-to-day operational support (e.g., scheduling, appointments) and help the President communicate with the public, the Congress, and the press.

Manage the budget and coordinate Administration positions on matters before the Congress.

Manage the Presidential decisionmaking processes efficiently and fairly, and bring the President the widest possible range of opinions.

Help the President: plan and set priorities; monitor and evaluate progress toward achieving the President's objectives; understand and resolve major conflicts among line subordinates; manage crises, especially in national security matters.

In order to restructure the EOP around these basic functions, the functions of seven units should be discontinued or transferred, and ten units, including the White House Office, should be retained but modified.

Seven units should be discontinued or their functions transferred. These are:

1. Office of Drug Abuse Policy.
2. Office of Telecommunications Policy.
3. Council on International Economic Policy.
4. Federal Property Council.
5. Energy Resources Council.
6. Economic Opportunity Council.
7. Domestic Council.

The functions of the Office of Drug Abuse Policy (ODAP) can be performed by a smaller staff reporting to a Presidential adviser in the EOP. The Office itself will be discontinued.

Much of the work done by the Office of Telecommunications Policy (OTP) can be more effectively performed outside the EOP. It is important that the EOP have the capacity to resolve differences and that the President have immediate advice on telecommunications and information policy, especially on national security, emergency preparedness and privacy issues. This only requires a small staff within EOP. The Office of Management and Budget would take responsibility for Federal telecommunications procurement and management policy and arbitration of interagency disputes about frequency allocation. All other functions except developing Presidential policy options would be transferred to a new office within the Department of Commerce, headed by a new Assistant Secretary for Communications and Information, who will perform many of the functions previously performed by the head of the OTP.

I propose that the Economic Opportunity Council be discontinued; it is dormant and its only active function (preparation of the Catalogue of Federal Domestic Assistance) is being performed by OMB. Three other units are also inactive and should be discontinued: Council on International Economic Policy, the Federal Property Council, and the Energy Resources Council.

The Domestic Council should be abolished. It has rarely functioned as a Council, because it is too large and its membership too diverse to make decisions efficiently. Its functions have been performed entirely by its staff. This Domestic Policy Staff should report to the Assistant to the President for Domestic Affairs and Policy. Under the policy process system described earlier, they should manage the process which coordinates

the making of domestic and most economic policy. They should work closely with the Cabinet departments and agencies to insure that the views of the Cabinet and agency heads are brought to the President before decisions are made.

The ten EOP units which will continue with some modification are:

1. White House Office.
2. Office of the Vice President.
3. Office of Management and Budget.
4. Council on Environmental Quality.
5. Council of Economic Advisers.
6. Office of Science and Technology Policy.
7. Office of the Special Representative for Trade Negotiations.
8. National Security Council.
9. Intelligence Oversight Board.
10. Council on Wage and Price Stability.

The operations of the Office of the Vice President reflect the combination of constitutional, statutory, and Presidentially assigned duties that make it unique among EOP units. Because his interests and assignments cover the same range as the President's, the Vice President requires a staff with expertise in diverse areas. Its basic functions should not be changed. However, I propose that certain support functions—involving accounting, personnel services, and supply—be transferred to a centralized EOP Administrative Unit.

The Office of Management and Budget would remain as a separate entity in the EOP, but some functional changes should be made. Four functions should be transferred from OMB to other parts of the government:

Administration to the new EOP Central Administrative Unit;

Executive Department/Labor Relations (except for Pay Agent, Executive Level Pools, and Legislative Analysis) to the Civil Service Commission;

Advisory Committee Management Secretariat to the General Services Administration;

Statistical Policy (except Forms Clearance) to the Department of Commerce.

I have asked the OMB to reorganize its management arm to emphasize major Presidential initiatives, such as reorganization, program evaluation, paperwork reduction, and regulatory reform.

The Council on Environmental Quality (CEQ) should remain in the EOP as an environmental adviser to the President. The CEQ's major purpose is to provide an independent assessment of our policies for improving the environment. Toward this end, it will analyze long term trends and conditions in the environment. It will advise OMB on the reorganization of natural resources functions within the Federal government. The Council will retain the functions it now has under NEPA and Executive Order No. 11514 with the exception of routine review of the adequacy of impact statements and the administrative aspects of their receipt and handling. The EPA will take over CEQ's evaluation responsibility under the Federal Nonnuclear Energy Research Development Act of 1974 [section 5901 et seq. of Title 42, The Public Health and Welfare]. The CEQ will continue to review and publish the Annual Report on Environmental Quality.

The strength of the Council of Economic Advisers (CEA) lies in its economic analysis of current policy choices. It also presents objective economic data, makes macroeconomic forecasts, and analyzes economic trends and their impact on the national economy. It will continue with a small reduction in staff.

The Office of Science and Technology Policy (OSTP) should retain those science, engineering, and technology functions which can be so useful in helping the President and his advisers make decisions about policy and budget issues. Instead of the Intergovernmental Science, Engineering, and Technology Advisory Panels, the President should rely on an intergovernmental relations working group, chaired by the Science Adviser. The Federal Coordinating Council on Science and Technology should operate as a sub-Cabinet working group

chaired by the Science Adviser. The reorganization work of the President's Committee on Science and Technology would be part of the overall reorganization effort. The responsibility for preparing certain reports should be transferred to the National Science Foundation.

The proposal places manageable limits on OSTP's broad mandate while emphasizing functions that support the President.

The Office of the Special Representative for Trade Negotiations (STR) is now operating effectively and will be retained essentially as is. With the difficult negotiations now underway in Geneva, the benefits of transferring the STR to another agency are outweighed by the potential reduction in its effectiveness as an international negotiator.

The National Security Council (NSC) will be retained in its present form and its staff slightly reduced.

Intelligence Oversight Board (IOB) should be retained to insure that abuses of the past are not repeated and to emphasize Presidential concerns regarding intelligence issues.

The Council of Wage and Price Stability (COWPS) is a necessary weapon in the continuing fight against inflation and will be retained. To be sure that its work is closely coordinated with the economic analyses performed by the Council of Economic Advisers (CEA), COWPS should be directed by the Chairman of CEA.

### III. CENTRALIZE ADMINISTRATIVE FUNCTIONS

About 380 (22 percent) of the full-time, permanent EOP personnel perform administrative support services in EOP units. Most EOP units besides the White House and OMB are too small to provide a full complement of administrative services. They depend on the White House, OMB, GSA, other federal departments, or several of these sources for many of these services. This approach is inefficient; the quality is uneven and the coordination poor. Some services are duplicated, others inconsistently distributed (excess capacity in some units and deficiencies in others), and most too costly.

I propose to combine administrative support operations into a Central Administrative Unit in EOP to provide support in administrative services common to all EOP entities. It should be a separate EOP entity because of the need to assure equal access by all other units.

This consolidation will result in:

Saving of roughly 40 positions and about \$1.1 million, improved and more innovative services.

A focus for monitoring the efficiency and responsibility of administrative services.

A base for an effective EOP budget/planning system through which the President can manage an integrated EOP rather than a collection of disparate units.

The EOP has never before been organized as a single, unified entity serving the President. It is only by viewing it as a whole that we can improve efficiency through steps like the Central Administrative Unit.

### IV. REDUCE THE SIZE OF WHITE HOUSE AND EOP STAFFS

I am reducing the White House staff by 28 percent, from the 485 I inherited from my predecessor to 351. This involves cuts in my policy and administrative staffs as well as transfers to the Central Administrative Unit.

I estimate that this plan and the other steps I am taking will reduce staff levels in the EOP by about 250, from 1,712 full-time permanent positions to about 1,460 and will save the taxpayers at least \$6 million.

As in the rest of the government, I will be reluctant to add staff unless necessary to help me do my job better.

I ask that you support me in improving the operations of the Executive Office of the President by approving the attached reorganization plan.

In summary this plan would:

Abolish the Domestic Council and establish a Domestic Policy Staff.

Establish within the EOP a Central Administrative Unit.

Transfer certain functions of the Council on Environmental Quality to the President for redelegation.

Abolish the Office of Drug Abuse Policy and vest functions in the President for redelegation.

Abolish the Office of Telecommunications Policy and transfer functions to the Department of Commerce and to the President for redelegation.

Create an Assistant Secretary of Commerce for Communications and Information.

Vest some Office of Science and Technology Policy functions in the President for redelegation.

Abolish the Economic Opportunity Council and vest those functions in the President for redelegation.

Transfer the Committee Management Secretariat function of the Office of Management and Budget to the President for redelegation.

Make other incidental transfers attendant to those mentioned above.

Each of the changes set forth in the plan accompanying this message is necessary to accomplish one or more of the purposes set forth in Section 901(a) of Title 5 of the United States Code. I have taken care to determine that all functions abolished by the plan are done so only under statutory authority provided by Section 903(b) of Title 5 of the United States Code. The provisions in the plan for the appointment and pay of any head or officer of any agency have been found by me to be necessary.

As we continue our studies of other parts of the Executive Branch, we will find more ways to improve services in the EOP and elsewhere. This plan is only a beginning, but I am confident that it represents a major step toward a more efficient government that will serve the needs of the people and the President well.

JIMMY CARTER.

THE WHITE HOUSE, July 15, 1977.

#### ABOLITION OF OFFICE OF TELECOMMUNICATIONS POLICY

For effective date of the abolition of the Office of Telecommunications Policy and its transfer of functions, implementing Reorg. Plan No. 1 of 1977, set out above, see Ex. Ord. No. 12046, Mar. 27, 1978, 43 F.R. 13349, set out as a note under section 305 of Title 47, Telegraphs, Telephones, and Radiotelegraphs.

#### EX. ORD. NO. 12028. OFFICE OF ADMINISTRATION IN EXECUTIVE OFFICE OF PRESIDENT

Ex. Ord. No. 12028, Dec. 12, 1977, 42 F.R. 62895, as amended by Ex. Ord. No. 12122, Feb. 26, 1979, 44 F.R. 11197, provided:

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including the National Security Act of 1947, as amended [act July 26, 1947, ch. 343, 61 Stat. 495], Reorganization Plan No. 2 of 1970 (5 U.S.C. App.), Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c) [31 U.S.C. 1531], and Reorganization Plan No. 1 of 1977 (42 F.R. 56101 (October 21, 1977)) [set out above], and as President of the United States of America, in order to effectuate the establishment of the Office of Administration in the Executive Office of the President, it is hereby ordered as follows:

SECTION 1. The establishment, provided by Section 2 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), of the Office of Administration in the Executive Office of the President shall be effective, as authorized by Section 7 of that Plan, on December 4, 1977.

SEC. 2. The Director of the Office of Administration, hereinafter referred to as the Director, shall report to the President. As the chief administrative officer of the Office of Administration, the Director shall be responsible for ensuring that the Office of Administration provides units within the Executive Office of the President common administrative support and services.

SEC. 3. (a) The Office of Administration shall provide common administrative support and services to all units within the Executive Office of the President, ex-

cept for such services provided primarily in direct support of the President. The Office of Administration shall, upon request, assist the White House Office in performing its role of providing those administrative services which are primarily in direct support of the President.

(b) The common administrative support and services provided by the Office of Administration shall encompass all types of administrative support and services that may be used by, or useful to, units within the Executive Office of the President. Such services and support shall include, but not be limited to, providing support services in the following administrative areas:

(1) personnel management services, including equal employment opportunity programs;

(2) financial management services;

(3) data processing, including support and services;

(4) library, records, and information services;

(5) office services and operations, including: mail, messenger, printing and duplication, graphics, word processing, procurement, and supply services; and

(6) any other administrative support or service which will achieve financial savings and increase efficiency through centralization of the supporting service.

(c) Administrative support and services shall be provided to all units within the Executive Office of the President in a manner consistent with available funds and other resources, or in accord with Section 7 of the Act of May 21, 1920 (41 Stat. 613), as amended (31 U.S.C. 686, referred to as the Economy Act) [31 U.S.C. 1535, 1536].

SEC. 4. (a) Subject to such direction or approval as the President may provide or require, the Director shall organize the Office of Administration, contract for supplies and services, and do all other things that the President, as head of the Office of Administration, might do.

(b) The Director is designated to perform the functions of the President under Section 107(b) of Title 3 of the United States Code.

(c) The Director may appoint and fix the pay of employees pursuant to the provisions of Section 107(b)(1)(A) of Title 3 of the United States Code without regard to any other provision of law regulating the employment or compensation of persons in the Government service. Under that section the Director may also fix the pay of an employee serving in a competitive position or in the career service in order to avoid the pay limitation imposed by Section 114 of Title 3 of the United States Code. The provisions of other laws regulating the employment or compensation of persons in the Government service shall continue to apply to such employee.

(d) The Director shall not be accountable for the program and management responsibilities of units within the Executive Office of the President; the head of each unit shall remain responsible for those functions.

SEC. 5. The primary responsibility for performing all administrative support and service functions of units within the Executive Office of the President shall be transferred and reassigned to the Office of Administration; except to the extent those functions are vested by law in the head of such a unit, other than the President; and except to the extent those functions are performed by the White House Office primarily in direct support of the President.

SEC. 6. The records, property, personnel, and unexpended balances of appropriations, available or to be made available, which relate to the functions transferred or reassigned by this Order from units within the Executive Office of the President to the Office of Administration, shall be transferred to the Office of Administration.

SEC. 7. (a) The Director of the Office of Management and Budget shall make such determinations, issue such orders, and take all actions necessary or appropriate to effectuate the transfers or reassignments provided by this Order, including the transfer of funds, records, property, and personnel.

(b) Such transfers shall become effective on April 1, 1978, or at such earlier time or times as the Director of

the Office of Management and Budget determines, after consultation with the Director of the Office of Administration and other appropriate units within the Executive Office of the President.

JIMMY CARTER.

EX. ORD. NO. 12045. IMPLEMENTATION OF REORGANIZATION PLAN RELATING TO DOMESTIC COUNCIL, DOMESTIC POLICY STAFF, OFFICE OF DRUG ABUSE POLICY, AND ECONOMIC OPPORTUNITY COUNCIL

Ex. Ord. No. 12045, Mar. 27, 1978, 43 F.R. 13347, provided:

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including Section 7 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101 (October 21, 1977)) [set out above], Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c) [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, in order to provide for transfers of the functions of the Office of Drug Abuse Policy, the Domestic Council, and the Economic Opportunity Council, and the abolition of the Office of Drug Abuse Policy, and Domestic Council, and the Economic Opportunity Council, and for other purposes, it is hereby ordered as follows:

SECTION 1. (a) The transfer of all functions of the Domestic Council, as provided by Section 5D of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(b) The redesignation of the Domestic Council Staff as the Domestic Policy Staff and the other provisions of Section 1 of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), are hereby effective.

(c) The abolition of the Domestic Council, as provided by Section 3A of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(d) The Domestic Policy Staff shall perform such functions as the President may from time to time direct.

SEC. 2. (a) The transfer of all functions of the Office of Drug Abuse Policy and its Director, as provided by Section 5C of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(b) The abolition of the Office of Drug Abuse Policy, as provided by Section 3B of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(c) The Domestic Policy Staff shall assist the President in the performance of the functions transferred by Section 5C of Reorganization Plan No. 1 of 1977 (42 F.R. 56101).

SEC. 3. (a) The transfer of all functions of the Economic Opportunity Council, as provided by Section 5G of Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

(b) The abolition of the Economic Opportunity Council, as provided by Section 3D Reorganization Plan No. 1 of 1977 (42 F.R. 56101), is hereby effective.

SEC. 4. All provisions of Reorganization Plan No. 1 of 1977 (42 F.R. 56101) not made effective on or prior to the effective date of this Order are hereby effective.

SEC. 5. The records, property, personnel, and unexpended balances of appropriations, available or to be made available, which relate to the functions transferred, assigned, or delegated as provided in this Order are hereby transferred as appropriate.

SEC. 6. The Director of the Office of Management and Budget shall make such determinations, issue such orders, and take all actions necessary or appropriate to effectuate the transfers or reassignments provided in this Order, including the transfer of funds, records, property, and personnel.

SEC. 7. This Order shall be effective March 26, 1978.

JIMMY CARTER.

EXECUTIVE ORDER NO. 12133

Ex. Ord. No. 12133, May 9, 1979, 44 F.R. 27635, which related to the drug policy functions of the Domestic Policy Staff, was revoked by Ex. Ord. No. 12368, June 24,

1982, 47 F.R. 27843, set out as a note under section 1112 of Title 21, Food and Drugs.

EX. ORD. NO. 12134. TRANSFER OF PRINTING AND DUPLICATING SERVICE ACTIVITY OF OFFICE OF ADMINISTRATION TO DEPARTMENT OF NAVY

Ex. Ord. No. 12134, May 9, 1979, 44 F.R. 27637, provided: By the authority vested in me as President by the Constitution and laws of the United States of America, including Reorganization Plan No. 2 of 1970 (5 U.S.C. App.), Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c) [31 U.S.C. 1531], and Reorganization Plan No. 1 of 1977 (42 F.R. 56101; 5 U.S.C. App.) [also set out above], and in order to provide for the transfer of the printing and duplicating service activity from the Office of Administration in the Executive Office of the President to the Department of the Navy, it is hereby ordered as follows:

1-101. (a) The primary responsibility for performing the common and usual administrative support and services that are related to printing and duplication and that are assigned to the Office of Administration in the Executive Office of the President by Section 3(b)(5) of Executive Order No. 12028, as amended [set out above], is transferred and reassigned to the Department of the Navy.

(b) The Department of the Navy shall be primarily responsible for providing to the Office of Administration, both onsite and offsite, that common and usual administrative support and service related to printing and duplication. It shall be provided in a manner consistent with available funds and other resources, or in accord with Section 7 of the Act of May 21, 1920 (41 Stat. 613), as amended (31 U.S.C. 686, referred to as the Economy Act) [31 U.S.C. 1535, 1536].

1-102. The records, property, personnel, and unexpended balances of appropriations, available or to be made available, which relate to the functions transferred or reassigned by this Order, shall be transferred to the Department of the Navy.

1-103. The Director of the Office of Management and Budget shall make such determinations, issue such orders, and take all actions necessary or appropriate to effectuate the transfers or reassignments provided by this Order, including the transfer of funds, records, property, and personnel.

1-104. Such transfers shall be effective on May 6, 1979.

JIMMY CARTER.

EX. ORD. NO. 12859. ESTABLISHMENT OF DOMESTIC POLICY COUNCIL

Ex. Ord. No. 12859, Aug. 16, 1993, 58 F.R. 44101, as amended by Ex. Ord. No. 13284, §10, Jan. 23, 2003, 68 F.R. 4076, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 105, 107, and 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. *Establishment.* There is established the Domestic Policy Council ("the Council").

SEC. 2. *Membership.* The Council shall comprise the:

(a) President, who shall serve as a Chairman of the Council;

(b) Vice President;

(c) Secretary of Health and Human Services;

(d) Attorney General;

(e) Secretary of Labor;

(f) Secretary of Veterans Affairs;

(g) Secretary of the Interior;

(h) Secretary of Education;

(i) Secretary of Housing and Urban Development;

(j) Secretary of Agriculture;

(k) Secretary of Transportation;

(l) Secretary of Commerce;

(m) Secretary of Energy;

(n) Secretary of the Treasury;

(o) Secretary of Homeland Security;

(p) Administrator of the Environmental Protection Agency;

- (q) Chair of the Council of Economic Advisers;
- (r) Director of the Office of Management and Budget;
- (s) Assistant to the President for Economic Policy;
- (t) Assistant to the President for Domestic Policy;
- (u) Assistant to the President and Director of the Office of National Service;
- (v) Senior Advisor to the President for Policy Development;
- (w) Director, Office of National Drug Control Policy;
- (x) AIDS Policy Coordinator; and
- (y) Such other officials of Executive departments and agencies as the President may, from time to time, designate.

SEC. 3. *Meeting of the Council.* The President, or upon his direction, the Assistant to the President for Domestic Policy ("the Assistant"), may convene meetings of the Council. The President shall preside over the meetings of the Council, provided that in his absence the Vice President, and in his absence the Assistant, will preside.

SEC. 4. *Functions.* (a) The principal functions of the Council are: (1) to coordinate the domestic policy-making process; (2) to coordinate domestic policy advice to the President; (3) to ensure that domestic policy decisions and programs are consistent with the President's stated goals, and to ensure that those goals are being effectively pursued; and (4) to monitor implementation of the President's domestic policy agenda. The Assistant may take such actions, including drafting a Charter, as may be necessary or appropriate to implement such functions.

(b) All executive departments and agencies, whether or not represented on the Council, shall coordinate domestic policy through the Council.

(c) In performing the foregoing functions, the Assistant will, when appropriate, work with the Assistant to the President for National Security Affairs and the Assistant to the President for Economic Policy.

SEC. 5. *Administration.* (a) The Council may function through established or ad hoc committees, task forces or interagency groups.

(b) The Council shall have a staff to be headed by the Assistant to the President for Domestic Policy. The Council shall have such staff and other assistance as may be necessary to carry out the provisions of this order.

(c) All executive departments and agencies shall cooperate with the Council and provide such assistance, information, and advice to the Council as the Council may request, to the extent permitted by law.

EX. ORD. NO. 13199. ESTABLISHMENT OF WHITE HOUSE OFFICE OF FAITH-BASED AND COMMUNITY INITIATIVES

Ex. Ord. No. 13199, Jan. 29, 2001, 66 F.R. 8499, provided: By the authority vested in me as President of the United States by the Constitution and the laws of the United States of America, and in order to help the Federal Government coordinate a national effort to expand opportunities for faith-based and other community organizations and to strengthen their capacity to better meet social needs in America's communities, it is hereby ordered as follows:

SECTION 1. *Policy.* Faith-based and other community organizations are indispensable in meeting the needs of poor Americans and distressed neighborhoods. Government cannot be replaced by such organizations, but it can and should welcome them as partners. The paramount goal is compassionate results, and private and charitable community groups, including religious ones, should have the fullest opportunity permitted by law to compete on a level playing field, so long as they achieve valid public purposes, such as curbing crime, conquering addiction, strengthening families and neighborhoods, and overcoming poverty. This delivery of social services must be results oriented and should value the bedrock principles of pluralism, non-discrimination, evenhandedness, and neutrality.

SEC. 2. *Establishment.* There is established a White House Office of Faith-Based and Community Initiatives (White House OFBCI) within the Executive Office of the

President that will have lead responsibility in the executive branch to establish policies, priorities, and objectives for the Federal Government's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based and other community organizations to the extent permitted by law.

SEC. 3. *Functions.* The principal functions of the White House OFBCI are, to the extent permitted by law: (a) to develop, lead, and coordinate the Administration's policy agenda affecting faith-based and other community programs and initiatives, expand the role of such efforts in communities, and increase their capacity through executive action, legislation, Federal and private funding, and regulatory relief;

(b) to ensure that Administration and Federal Government policy decisions and programs are consistent with the President's stated goals with respect to faith-based and other community initiatives;

(c) to help integrate the President's policy agenda affecting faith-based and other community organizations across the Federal Government;

(d) to coordinate public education activities designed to mobilize public support for faith-based and community nonprofit initiatives through volunteerism, special projects, demonstration pilots, and public-private partnerships;

(e) to encourage private charitable giving to support faith-based and community initiatives;

(f) to bring concerns, ideas, and policy options to the President for assisting, strengthening, and replicating successful faith-based and other community programs;

(g) to provide policy and legal education to State, local, and community policymakers and public officials seeking ways to empower faith-based and other community organizations and to improve the opportunities, capacity, and expertise of such groups;

(h) to develop and implement strategic initiatives under the President's agenda to strengthen the institutions of civil society and America's families and communities;

(i) to showcase and herald innovative grassroots nonprofit organizations and civic initiatives;

(j) to eliminate unnecessary legislative, regulatory, and other bureaucratic barriers that impede effective faith-based and other community efforts to solve social problems;

(k) to monitor implementation of the President's agenda affecting faith-based and other community organizations; and

(l) to ensure that the efforts of faith-based and other community organizations meet high standards of excellence and accountability.

SEC. 4. *Administration.* (a) The White House OFBCI may function through established or ad hoc committees, task forces, or interagency groups.

(b) The White House OFBCI shall have a staff to be headed by the Assistant to the President for Faith-Based and Community Initiatives. The White House OFBCI shall have such staff and other assistance, to the extent permitted by law, as may be necessary to carry out the provisions of this order. The White House OFBCI operations shall begin no later than 30 days from the date of this order.

(c) The White House OFBCI shall coordinate with the liaison and point of contact designated by each executive department and agency with respect to this initiative.

(d) All executive departments and agencies (agencies) shall cooperate with the White House OFBCI and provide such information, support, and assistance to the White House OFBCI as it may request, to the extent permitted by law.

(e) The agencies' actions directed by this Executive Order shall be carried out subject to the availability of appropriations and to the extent permitted by law.

SEC. 5. *Judicial Review.* This order does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

GEORGE W. BUSH.

## EX. ORD. NO. 13283. ESTABLISHING THE OFFICE OF GLOBAL COMMUNICATIONS

Ex. Ord. No. 13283, Jan. 21, 2003, 68 F.R. 3371, provided: By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. *Establishment of the Office of Global Communications.* There is hereby established within the White House Office an Office of Global Communications (the "Office") to be headed by a Deputy Assistant to the President for Global Communications.

SEC. 2. *Mission.* The mission of the Office shall be to advise the President, the heads of appropriate offices within the Executive Office of the President, and the heads of executive departments and agencies (agencies) on utilization of the most effective means for the United States Government to ensure consistency in messages that will promote the interests of the United States abroad, prevent misunderstanding, build support for and among coalition partners of the United States, and inform international audiences. The Office shall provide such advice on activities in which the role of the United States Government is apparent or publicly acknowledged.

SEC. 3. *Functions.* In carrying out its mission:

(a) The Office shall assess the methods and strategies used by the United States Government (other than special activities as defined in Executive Order 12333 of December 4, 1981 [50 U.S.C. 401 note]) to deliver information to audiences abroad. The Office shall coordinate the formulation among appropriate agencies of messages that reflect the strategic communications framework and priorities of the United States, and shall facilitate the development of a strategy among the appropriate agencies to effectively communicate such messages.

(b) The Office shall work with the policy and communications offices of agencies in developing a strategy for disseminating truthful, accurate, and effective messages about the United States, its Government and policies, and the American people and culture. The Office may, after consulting with the Department of State and obtaining the approval of the Assistant to the President for National Security Affairs on the President's behalf, work with cooperating foreign governments in the development of the strategy. In performing its work, the Office shall coordinate closely and regularly with the Assistant to the President for National Security Affairs, or the Assistant's designee.

(c) The Office shall work with appropriate agencies to coordinate the creation of temporary teams of communicators for short-term placement in areas of high global interest and media attention as determined by the Office. Team members shall include personnel from agencies to the extent permitted by law and subject to the availability of personnel. In performing its functions, each information team shall work to disseminate accurate and timely information about topics of interest to the on-site news media, and assist media personnel in obtaining access to information, individuals, and events that reinforce the strategic communications objectives of the United States and its allies. The Office shall coordinate when and where information teams should be deployed; provided, however, no information team shall be deployed abroad without prior consultation with the Department of State and the Department of Defense, and prior notification to the Office of the Assistant to the President for National Security Affairs.

(d) The Office shall encourage the use of state-of-the-art media and technology and shall advise the United States Government of events, technologies, and other communications tools that may be available for use in conveying information.

SEC. 4. *Administration.* The Office of Administration within the Executive Office of the President shall provide the Office with administrative and related support, to the extent permitted by law and subject to the availability of appropriations, as directed by the Chief

of Staff to the President to carry out the provisions of this order.

SEC. 5. *Relationship to Other Interagency Coordinating Mechanisms.* Presidential direction regarding National Security Council-related mechanisms for coordination of national security policy shall apply with respect to the Office in the same manner as it applies with respect to other elements of the White House Office. Nothing in this order shall be construed to impair or otherwise affect any function assigned by law or by the President to the National Security Council or to the Assistant to the President for National Security Affairs.

SEC. 6. *Continuing Authorities.* This order does not alter the existing authorities of any agency. Agencies shall assist the Deputy Assistant to the President for Global Communications, to the extent consistent with applicable law and direction of the President, and to the extent such assistance is consistent with national security objectives and with the mission of such agencies, in carrying out the Office's mission.

SEC. 7. *General Provisions.*

(a) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by any party against the United States, its agencies, instrumentalities or entities, its officers or employees, or any other person.

(b) Nothing in this order shall be construed to grant to the Office any authority to issue direction to agencies, officers, or employees.

GEORGE W. BUSH.

### § 101. Commencement of term of office

The term of four years for which a President and Vice President shall be elected, shall, in all cases, commence on the 20th day of January next succeeding the day on which the votes of the electors have been given.

(June 25, 1948, ch. 644, 62 Stat. 678.)

#### SHORT TITLE OF 2000 AMENDMENT

Pub. L. 106-293, §1, Oct. 12, 2000, 114 Stat. 1035, provided that: "This Act [amending provisions set out as a note under section 102 of this title] may be cited as the 'Presidential Transition Act of 2000'."

#### DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING

Pub. L. 106-92, Nov. 9, 1999, 113 Stat. 1309, provided that:

"SECTION 1. DESIGNATION OF DWIGHT D. EISENHOWER EXECUTIVE OFFICE BUILDING.

"The Old Executive Office Building located at 17th Street and Pennsylvania Avenue, NW, in Washington, District of Columbia, shall be known and designated as the 'Dwight D. Eisenhower Executive Office Building'."

"SEC. 2. REFERENCES.

"Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the 'Dwight D. Eisenhower Executive Office Building'."

Pub. L. 100-461, title V, §590, Oct. 1, 1988, 102 Stat. 2268-52, as amended by Pub. L. 106-92, §2, Nov. 9, 1999, 113 Stat. 1309, provided that:

"(a) ACCEPTANCE OF GIFTS OF MONEY AND PROPERTY.—The Director of the Office of Administration is authorized to—

"(1) accept, hold, administer, utilize and sell gifts and bequests of property, both real and personal, and loans of personal property other than money; and

"(2) accept and utilize voluntary and uncompensated services;

for the purpose of aiding, benefiting, or facilitating the work of preservation, restoration, renovation, rehabilitation, or historic furnishing of the Dwight D. Eisenhower Executive Office Building and the grounds thereof.