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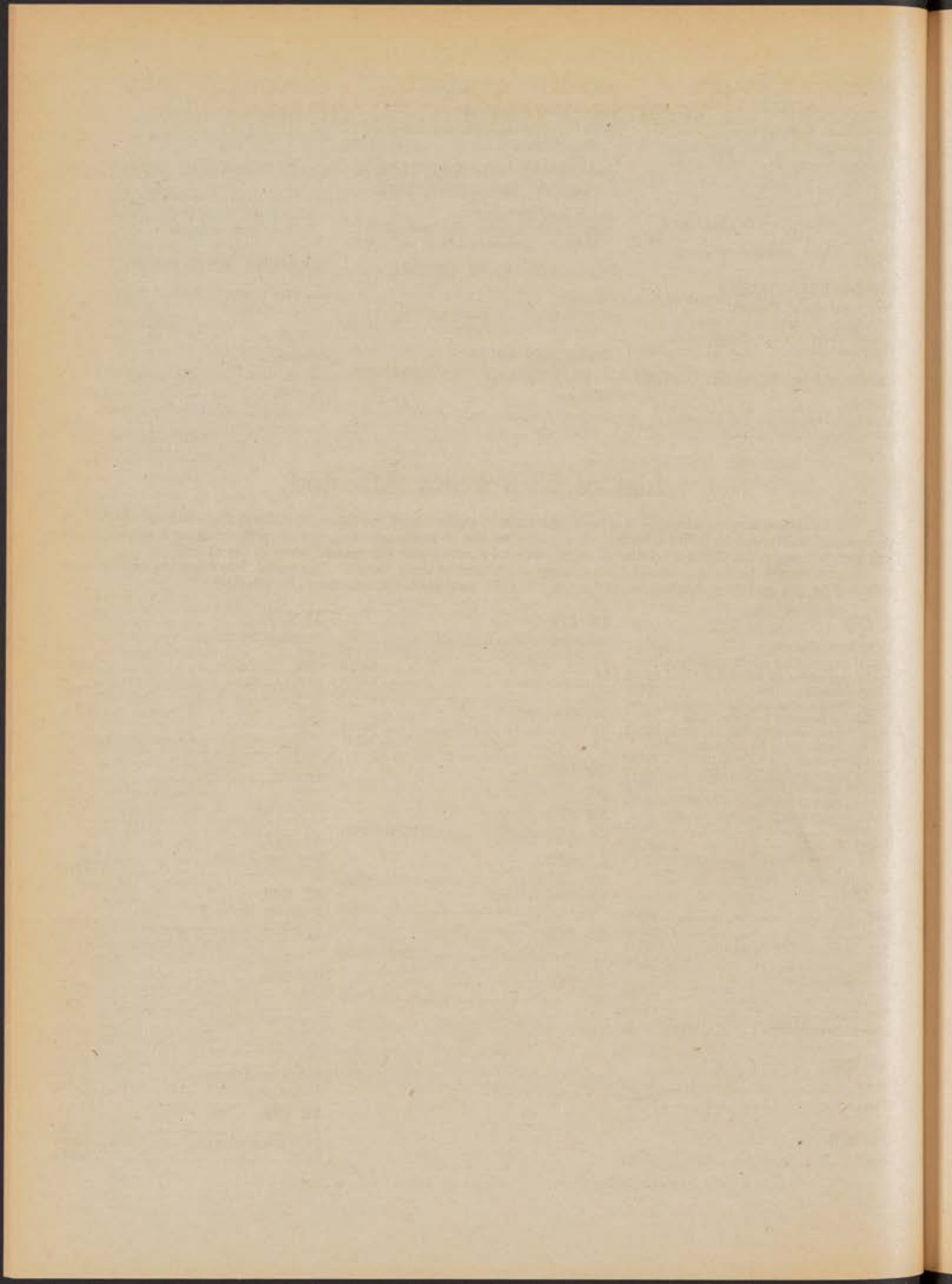
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Title 3—The President

EXECUTIVE ORDER 11609

Delegating Certain Functions Vested in the President to Other Officers of the Government

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 (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) The authority of the President under 5 U.S.C. 5724a 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.

(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 purposes 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.

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, Education, and Welfare. The Secretary of Health, Education, and Welfare 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, Education, and Welfare 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. *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.

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, Education, and Welfare; 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, Education, and Welfare 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, 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. *Civil Service Commission.* The United States Civil Service Commission 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 (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 (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.

SEC. 9. Office of Management and Budget. 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 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) 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)), 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 sections of this order, if any, which corresponds to the superseded provision.

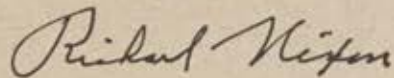
(c) All actions heretofore taken by the President, the Director of the Bureau of the Budget, or the Director of the Office of Management and Budget in respect of the matters affected by the provisions of the preceding sections of this order and in force at the time of the issuance of this order, including 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.

A handwritten signature in dark ink, reading "Richard Nixon", written in a cursive style.

THE WHITE HOUSE,
July 22, 1971.

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