

and vested in (a) said Board of Trustees as to postal savings disbursements, and (b) Post Office Department as to all other disbursements involved, such functions to be exercised by postmasters and other authorized disbursing agents of Post Office Department and of Postal Savings System in accordance with existing statutes pertaining to such functions, by Reorg. Plan No. IV of 1940, § 4, eff. June 30, 1940. See, also, sections 13-15 of said plan for provisions relating to transfer of functions of department heads, records, property, personnel, and funds.

Public Buildings Branch of Procurement Division and its functions and personnel were transferred to Public Buildings Administration, and functions of Secretary of Agriculture and Director of Procurement Division relating to administration thereof and to selection of sites for public buildings were transferred to Federal Works Administrator by Reorg. Plan No. I of 1939, §§301, 303, effective July 1, 1939. See also sections 307-310 of said plan for provisions relating to transfer of records, property, funds, and personnel.

EXECUTIVE ORDER No. 11007

Ex. Ord. No. 11007, Feb. 27, 1962, 27 F.R. 1875, which related to regulations for formation and use of advisory committees, was superseded by Ex. Ord. No. 11671, June 5, 1972, 37 F.R. 11307.

EXECUTIVE ORDER No. 11671

Ex. Ord. No. 11671, June 5, 1972, 37 F.R. 11307, which related to committee management, was superseded by Ex. Ord. No. 11686, Oct. 7, 1972, 37 F.R. 21421, set out in the Appendix to this title.

§ 902. Definitions

For the purpose of this chapter—

- (1) “agency” means—
 - (A) an Executive agency or part thereof; and
 - (B) an office or officer in the executive branch;

but does not include the Government Accountability Office or the Comptroller General of the United States;

- (2) “reorganization” means a transfer, consolidation, coordination, authorization, or abolition, referred to in section 903 of this title; and

- (3) “officer” is not limited by section 2104 of this title.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 394; Pub. L. 90-83, §1(98), Sept. 11, 1967, 81 Stat. 220; Pub. L. 95-17, §2, Apr. 6, 1977, 91 Stat. 30; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814.)

HISTORICAL AND REVISION NOTES
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(1)	5 U.S.C. 133z-5.	June 20, 1949, ch. 226, §7, 63 Stat. 205.
(2)	5 U.S.C. 133z-6.	June 20, 1949, ch. 226, §8, 63 Stat. 206.

In paragraph (1)(A), the words “an Executive agency or part thereof” are coextensive with and substituted for “any executive department, commission, council, independent establishment, Government corporation, board, bureau, division, service, . . . authority, administration, or other establishment, in the executive branch of the Government” and to conform to the definition in section 105.

In paragraph (1)(B), the words “an office or officer in the civil service or uniformed services in or under an Executive agency” are substituted for “office, officer,

. . . in the executive branch of the Government” to conform to the definitions in sections 105, 2101, and 2104.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

This section amends section 902 of title 5, United States Code, so as to preserve the application of the source statute for section 902 (sec. 7 of the Reorganization Act of 1949). In the codification of title 5 by Public Law 89-554, that application was inadvertently restricted due to the operation of section 2104 of title 5, providing a title-wide definition of “officer.” Briefly, that section defines “officer” as a civil appointive officer of the Federal Government. In the Reorganization Act of 1949, the word “officer” was not defined, and has been construed to include not only civil appointive officers, but uniformed officers, the President, and officers of the government of the District of Columbia. Thus, this section amends section 902 of title 5 by inserting a paragraph providing that the title-wide definition of officer is inapplicable to chapter 9 of title 5. Also, paragraph (1)(B) of section 902 is amended so that the wording thereof is identical to that formerly appearing in section 7 of the Reorganization Act of 1949.

CODIFICATION

Section 902(a) of former Title 5, Executive Departments and Government Officers and Employees, was transferred to section 60e-2(b) of Title 2, The Congress.

AMENDMENTS

2004—Par. (1). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in concluding provisions.

1977—Par. (1)(C). Pub. L. 95-17 struck out subpar. (C) which defined “agency” as any and all parts of the government of the District of Columbia other than the courts thereof.

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-83 effective Sept. 6, 1966, for all purposes, see section 9(h) of Pub. L. 90-83, set out as a note under section 5102 of this title.

§ 903. Reorganization plans

(a) Whenever the President, after investigation, finds that changes in the organization of agencies are necessary to carry out any policy set forth in section 901(a) of this title, he shall prepare a reorganization plan specifying the reorganizations he finds are necessary. Any plan may provide for—

- (1) the transfer of the whole or a part of an agency, or of the whole or a part of the functions thereof, to the jurisdiction and control of another agency;
- (2) the abolition of all or a part of the functions of an agency, except that no enforcement function or statutory program shall be abolished by the plan;
- (3) the consolidation or coordination of the whole or a part of an agency, or of the whole or a part of the functions thereof, with the whole or a part of another agency or the functions thereof;
- (4) the consolidation or coordination of part of an agency or the functions thereof with another part of the same agency or the functions thereof;
- (5) the authorization of an officer to delegate any of his functions; or
- (6) the abolition of the whole or a part of an agency which agency or part does not have, or