

or performed in respect of or by an agency or function affected by a reorganization under this chapter, before the effective date of the reorganization, has, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, the same effect as if the reorganization had not been made. However, if the statute, regulation, or other action has vested the functions in the agency from which it is removed under the reorganization plan, the function, insofar as it is to be exercised after the plan becomes effective, shall be deemed as vested in the agency under which the function is placed by the plan.

(b) For the purpose of subsection (a) of this section, "regulation or other action" means a regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

(c) A suit, action, or other proceeding lawfully commenced by or against the head of an agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, does not abate by reason of the taking effect of a reorganization plan under this chapter. On motion or supplemental petition filed at any time within twelve months after the reorganization plan takes effect, showing a necessity for a survival of the suit, action, or other proceeding to obtain a settlement of the questions involved, the court may allow the suit, action, or other proceeding to be maintained by or against the successor of the head or officer under the reorganization effected by the plan or, if there is no successor, against such agency or officer as the President designates.

(d) The appropriations or portions of appropriations unexpended by reason of the operation of the chapter may not be used for any purpose, but shall revert to the Treasury.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 396; Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 32.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a)-(c) .....	5 U.S.C. 133z-7.	June 20, 1949, ch. 226, § 9, 63 Stat. 206.
(d) .....	5 U.S.C. 133z-8.	June 20, 1949, ch. 226, § 10, 63 Stat. 206.

In subsections (a) and (c), the words "the provisions of" in the phrase "under this chapter" are omitted as unnecessary.

In subsection (c), the words "the suit, action, or other proceeding" are substituted for "the same".

In subsection (d), the words "shall revert" are substituted for "shall be . . . returned", and the words "impounded and" are omitted as unnecessary.

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

AMENDMENTS

1977—Subsecs. (a), (b). Pub. L. 95-17 reenacted subsecs. (a) and (b) without change.

Subsec. (c). Pub. L. 95-17 substituted "twelve months" for "12 months".

Subsec. (d). Pub. L. 95-17 reenacted subsec. (d) without change.

§ 908. Rules of Senate and House of Representatives on reorganization plans

Sections 909 through 912 of this title are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions with respect to any reorganization plans transmitted to Congress (in accordance with section 903(b) of this chapter<sup>1</sup>) on or before December 31, 1984; and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98-614, § 2(b), Nov. 8, 1984, 98 Stat. 3192.)

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 133z-10.	June 20, 1949, ch. 226, § 201, 63 Stat. 206.

The words "Sections 909-913 of this title" are substituted for "The following sections of this title" to reflect the codification of sections 202-206 of Title II of the Act of June 20, 1949.

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

AMENDMENTS

1984—Par. (1). Pub. L. 98-614 substituted "with respect to any reorganization plans transmitted to Congress (in accordance with section 903(b) of this chapter) on or before December 31, 1984" for "described in section 909 of this title".

1977—Pub. L. 95-17 substituted "Sections 909 through 912 of this title" for "Sections 909-913 of this title" in provisions preceding par. (1).

§ 909. Terms of resolution

For the purpose of sections 908 through 912 of this title, "resolution" means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the reorganization plan numbered \_\_\_\_\_ transmitted to the Congress by the President on \_\_\_\_\_, 19 \_\_\_\_", and includes such modifications and revisions as are submitted by the President under section 903(c) of this chapter. The blank spaces therein are to be filled appropriately. The term does not include a resolution which specifies more than one reorganization plan.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 397; Pub. L. 95-17, § 2, Apr. 6, 1977, 91 Stat. 33; Pub. L. 98-614, § 3(c), Nov. 8, 1984, 98 Stat. 3192.)

<sup>1</sup> So in original. Probably should be "title".