

TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

This title was enacted by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378; Pub. L. 117-286, § 3, Dec. 27, 2022, 136 Stat. 4197

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Editorial Notes

AMENDMENTS

2022—Pub. L. 117-286, §4(d)(1), Dec. 27, 2022, 136 Stat. 4359, added item for part IV.

1979—Pub. L. 96-54, §2(a)(1), Aug. 14, 1979, 93 Stat. 381, substituted “Civil Service Functions and Responsibilities” for “The United States Civil Service Commission” in item for part II.

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<i>Title 5 Appendix Former Sections</i>	<i>Title 5 New Sections</i>
<i>Federal Advisory Committee Act</i>	
5 U.S.C. App. (FACA § 1)	Not repealed but omitted from the text of title 5. Section 1 of the Federal Advisory Committee Act (Public Law 92–463, 86 Stat. 770) provides a short title for the Act.
5 U.S.C. App. (FACA § 2)	5 U.S.C. 1002
5 U.S.C. App. (FACA § 3)	5 U.S.C. 1001
5 U.S.C. App. (FACA § 4)	5 U.S.C. 1003
5 U.S.C. App. (FACA § 5)	5 U.S.C. 1004
5 U.S.C. App. (FACA § 6(a), (b))	5 U.S.C. 1005

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
TITLE 5 APPENDIX—CONTINUED

<i>Title 5 Appendix Former Sections</i>	<i>Title 5 New Sections</i>
5 U.S.C. App. (FACA §6(c))	Repealed as obsolete. Section 6(c) of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 772), as amended by section 201(c) of the Congressional Reports Elimination Act of 1982 (Public Law 97-375, 96 Stat. 1822), provided that the President shall, not later than December 31 of each year, make an annual report to the Congress on the activities, status, and changes in the composition of advisory committees in existence during the preceding fiscal year. Section 6(c) of the Federal Advisory Committee Act is obsolete because of section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66, 31 U.S.C. 1113 note). See the 3d item on page 173 of House Document No. 103-7.
5 U.S.C. App. (FACA §7)	5 U.S.C. 1006
5 U.S.C. App. (FACA §8)	5 U.S.C. 1007
5 U.S.C. App. (FACA §9)	5 U.S.C. 1008
5 U.S.C. App. (FACA §10)	5 U.S.C. 1009
5 U.S.C. App. (FACA §11)	5 U.S.C. 1010
5 U.S.C. App. (FACA §12)	5 U.S.C. 1011
5 U.S.C. App. (FACA §13)	5 U.S.C. 1012
5 U.S.C. App. (FACA §14)	5 U.S.C. 1013
5 U.S.C. App. (FACA §15)	5 U.S.C. 1014
5 U.S.C. App. (FACA §16)	Not repealed but omitted from the text of title 5. Section 16 (formerly section 15) of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 776) provides that, except as provided in section 7(b) of the Act (restated at section 1006(b) of title 5, United States Code), the Act shall become effective upon the expiration of 90 days following October 6, 1972.
<i>Inspector General Act of 1978</i>	
5 U.S.C. App. (IGA §1)	Not repealed but omitted from the text of title 5. Section 1 of the Inspector General Act of 1978 provides a short title for the Act.
5 U.S.C. App. (IGA §2)	5 U.S.C. 402
5 U.S.C. App. (IGA §3)	5 U.S.C. 403
5 U.S.C. App. (IGA §3) note (Pub. L. 110-409, §4(a)(3)).	5 U.S.C. 423(a)
5 U.S.C. App. (IGA §3) note (Pub. L. 110-409, §4(b)(1)).	5 U.S.C. 423(b)
5 U.S.C. App. (IGA §3) note (Pub. L. 110-409, §4(b)(2)).	Repealed as obsolete. Section 4(b)(2) of the Inspector General Reform Act of 2008 (5 U.S.C. App. (IGA §3) note) provided a limitation on pay increases resulting from the application of section 4(b)(1) of the Inspector General Reform Act of 2008, which is restated as section 423(b) of title 5, United States Code. The provision is obsolete because section 4(b)(2)(B) of the Inspector General Reform Act of 2008 provided that the limitation "shall not apply to any adjustment made in fiscal year 2013 or each fiscal year thereafter".
5 U.S.C. App. (IGA §3) note (Pub. L. 110-409, §4(c)).	5 U.S.C. 423(c)
5 U.S.C. App. (IGA §4)	5 U.S.C. 404
5 U.S.C. App. (IGA §5)	5 U.S.C. 405
5 U.S.C. App. (IGA §6)	5 U.S.C. 406
5 U.S.C. App. (IGA §7)	5 U.S.C. 407
5 U.S.C. App. (IGA §8)	5 U.S.C. 408

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
TITLE 5 APPENDIX—CONTINUED

<i>Title 5 Appendix Former Sections</i>	<i>Title 5 New Sections</i>
5 U.S.C. App. (IGA §8A(a), (b))	Not repealed but omitted from the text of title 5. Section 8A(a) of the Inspector General Act of 1978 (5 U.S.C. App. (IGA §8A(a))) provides that the Inspector General of the Agency for International Development shall supervise, direct, and control all security activities relating to the programs and operations of that agency, and section 8A(b) of the Act (5 U.S.C. App. (IGA §8A(b))) provides for the appointment of an Assistant Inspector General for Security who shall have responsibility for supervising the performance of security activities relating to programs and operations of the Agency for International Development. However, the supervision of security activities referred to section 8A(a) and section 8A(b) of the Act is no longer performed by the Inspector General of the Agency for International Development because of superseding provisions in section 587(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (Public Law 105-277, div. A, §101(d) [title V, §587], 22 U.S.C. 2381 note).
5 U.S.C. App. (IGA §8A(c))	5 U.S.C. 409(b)
5 U.S.C. App. (IGA §8A(d))	5 U.S.C. 409(c)
5 U.S.C. App. (IGA §8A(e))	5 U.S.C. 409(d)
5 U.S.C. App. (IGA §8A(f))	5 U.S.C. 409(a)
5 U.S.C. App. (IGA §8B)	5 U.S.C. 410
5 U.S.C. App. (IGA §8C)	5 U.S.C. 411
5 U.S.C. App. (IGA §8D)	5 U.S.C. 412
5 U.S.C. App. (IGA §8E)	5 U.S.C. 413
5 U.S.C. App. (IGA §8F)	5 U.S.C. 414
5 U.S.C. App. (IGA §8G)	5 U.S.C. 415
5 U.S.C. App. (IGA §8H)	5 U.S.C. 416
5 U.S.C. App. (IGA §8I)	5 U.S.C. 417
5 U.S.C. App. (IGA §8J)	5 U.S.C. 418
5 U.S.C. App. (IGA §8K)	Previously repealed.
5 U.S.C. App. (IGA §8L)	5 U.S.C. 419
5 U.S.C. App. (IGA §8M)	5 U.S.C. 420
5 U.S.C. App. (IGA §8N)	5 U.S.C. 421
5 U.S.C. App. (IGA §9)	5 U.S.C. 422
5 U.S.C. App. (IGA §10)	Not repealed but omitted from the text of title 5. Section 10 of 1978 amended sections 5315 and 5316 of title 5, United States Code, and amended section 202(e) of the Act of October 15, 1976 (Public Law 94-505, 42 U.S.C. 3522(e)), which was subsequently repealed by section 102(e)(2) of the Inspector General Act Amendments of 1988 (Public Law 100-504, 102 Stat. 2517).
5 U.S.C. App. (IGA §11)	5 U.S.C. 424(a) through (e)(3)
5 U.S.C. App. (IGA §12)	5 U.S.C. 401
5 U.S.C. App. (IGA §13)	Not repealed but omitted from the text of title 5. Section 13 of the Inspector General Act of 1978 provides that the provisions of the Act and the amendments made by the Act shall take effect October 1, 1978.
<i>Ethics in Government Act of 1978</i>	
5 U.S.C. App. (EGA §101)	5 U.S.C. 13103

TABLE SHOWING DISPOSITION OF ALL SECTIONS OF
TITLE 5 APPENDIX—CONTINUED

<i>Title 5 Appendix Former Sections</i>	<i>Title 5 New Sections</i>
5 U.S.C. App. (EGA §101 note) (Pub. L. 95-521, §1).	Not repealed but omitted from the text of title 5. Section 1 (i.e., the undesignated 1st section) of the Ethics in Government Act of 1978 (Public Law 95-521, 92 Stat. 1824) provides a short title for the Act.
5 U.S.C. App. (EGA §102)	5 U.S.C. 13104
5 U.S.C. App. (EGA §103)	5 U.S.C. 13105
5 U.S.C. App. (EGA §104)	5 U.S.C. 13106
5 U.S.C. App. (EGA §105)	5 U.S.C. 13107
5 U.S.C. App. (EGA §106)	5 U.S.C. 13108
5 U.S.C. App. (EGA §107)	5 U.S.C. 13109
5 U.S.C. App. (EGA §108)	5 U.S.C. 13110
5 U.S.C. App. (EGA §109)	5 U.S.C. 13101
5 U.S.C. App. (EGA §110)	5 U.S.C. 13111
5 U.S.C. App. (EGA §111)	5 U.S.C. 13102
5 U.S.C. App. (EGA §112)	Previously repealed.
5 U.S.C. App. (EGA §§201 through 212).	Previously repealed.
5 U.S.C. App. (EGA §§301 through 309).	Previously repealed.
5 U.S.C. App. (EGA §401)	5 U.S.C. 13121
5 U.S.C. App. (EGA §402)	5 U.S.C. 13122
5 U.S.C. App. (EGA §403)	5 U.S.C. 13123
5 U.S.C. App. (EGA §404)	5 U.S.C. 13124
5 U.S.C. App. (EGA §405)	5 U.S.C. 13125
5 U.S.C. App. (EGA §406)	Not repealed but omitted from the text of title 5. Section 406 of the Ethics in Government Act of 1978 (Public Law 95-521, 92 Stat. 1864) amended section 5316 of title 5, United States Code.
5 U.S.C. App. (EGA §407)	Not repealed but omitted from the text of title 5. Section 407 of the Ethics in Government Act of 1978 (Public Law 95-521), as added by section 4 of Public Law 98-150 (97 Stat. 960), and amended by section 8 of Public Law 100-598 (102 Stat. 3035), amended sections 5314 and 5316 of title 5, United States Code.
5 U.S.C. App. (EGA §408)	5 U.S.C. 13126
5 U.S.C. App. (EGA §501)	5 U.S.C. 13143
5 U.S.C. App. (EGA §502)	5 U.S.C. 13144
5 U.S.C. App. (EGA §503)	5 U.S.C. 13142
5 U.S.C. App. (EGA §504)	5 U.S.C. 13145
5 U.S.C. App. (EGA §505)	5 U.S.C. 13141

Statutory Notes and Related Subsidiaries

ENACTING CLAUSE

Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378, provided in part: "That the laws relating to the organization of the Government of the United States and to its civilian officers and employees, generally, are revised, codified, and enacted as title 5 of the United States Code, entitled 'Government Organization and Employees', and may be cited as '5 U.S.C., § _____'."

LEGISLATIVE PURPOSE: INCONSISTENT PROVISIONS

Pub. L. 89-554, §7(a), Sept. 6, 1966, 80 Stat. 631, provided that: "The legislative purpose in enacting sections 1-6 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act [Sept. 6, 1966]. Laws effective after June 30, 1965, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency."

REFERENCES TO OTHER LAWS

Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, provided that: "A reference to a law replaced by sections 1-6 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act."

OUTSTANDING ORDERS, RULES AND REGULATIONS

Pub. L. 89-554, §7(c), Sept. 6, 1966, 80 Stat. 631, provided that: "An order, rule, or regulation in effect under a law replaced by sections 1-6 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded."

SAVINGS PROVISION

Pub. L. 89-554, §7(d), Sept. 6, 1966, 80 Stat. 631, provided that: "An action taken or an offense committed under a law replaced by sections 1-6 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act."

LEGISLATIVE CONSTRUCTION

Pub. L. 89-554, §7(e), Sept. 6, 1966, 80 Stat. 631, provided that: "An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof."

PAY, ALLOWANCES, COMPENSATION, OR ANNUITY

Pub. L. 89-554, §7(f), Sept. 6, 1966, 80 Stat. 631, provided that: "The enactment of this Act does not increase or decrease the pay, allowances, compensation, or annuity of any person."

SEPARABILITY

Pub. L. 89-554, §7(g), Sept. 6, 1966, 80 Stat. 631, provided that: "If a provision enacted by this Act is held invalid, all valid provisions that are separable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications."

APPLICABILITY TO COMMISSIONED OFFICERS OF PUBLIC HEALTH SERVICE AND COAST AND GEODETIC SURVEY

Pub. L. 89-554, §7(h), Sept. 6, 1966, 80 Stat. 632, provided that: "Sections 1-6 of this Act shall be construed to apply to commissioned officers of the Public Health Service and commissioned officers of the Coast and Geodetic Survey [now the National Oceanic and Atmospheric Administration] to the same extent that the laws replaced by those sections applied to these officers immediately before the date of enactment of this Act [Sept. 6, 1966]."

REPEALS; CONTINUED RIGHT TO DEFERRED ANNUITY

Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 632, repealed the sections or parts thereof of the Revised Statutes or Statutes at Large codified in this title, except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before Sept. 6, 1966, and except as provided by section 7 of Pub. L. 89-554.

Pub. L. 89-554, §8(b), Sept. 6, 1966, 80 Stat. 632, provided that: "The right to a deferred annuity on satisfaction of the conditions attached thereto is continued notwithstanding the repeal of the law conferring the right."

Pub. L. 89-554, §8(c), Sept. 6, 1966, 80 Stat. 632, provided that: "The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal."

PURPOSES; RESTATEMENT DOES NOT CHANGE MEANING OR EFFECT OF EXISTING LAW: PUB. L. 117-286

Pub. L. 117-286, §2, Dec. 27, 2022, 136 Stat. 4196, provided that:

"(a) PURPOSES.—The purposes of this Act [enacting chapters 4, 10, and 131 of this title, repealing provisions formerly set out in the Appendix to this title, and making numerous conforming amendments; see Tables for full classification] are—

"(1) to make revisions in title 5, United States Code, as necessary to keep the title current; and

“(2) to make technical amendments to improve the United States Code.

“(b) RESTATEMENT DOES NOT CHANGE MEANING OR EFFECT OF EXISTING LAW.—

“(1) IN GENERAL.—The restatement of existing law enacted by this Act does not change the meaning or effect of the existing law. The restatement incorporates in title 5, United States Code, various provisions that were enacted separately over a period of years, reorganizing them, conforming style and terminology, modernizing obsolete language, and correcting drafting errors. These changes serve to remove ambiguities, contradictions, and other imperfections, but they do not change the meaning or effect of the existing law or impair the precedential value of earlier judicial decisions or other interpretations.

“(2) RULE OF CONSTRUCTION.—

“(A) IN GENERAL.—Notwithstanding the plain meaning rule or other rules of statutory construction, a change in wording made in the restatement of existing law enacted by this Act serves to clarify the existing law as indicated in paragraph (1), but not to change the meaning or effect of the existing law.

“(B) REVISION NOTES.—Subparagraph (A) applies whether or not a change in wording is explained by a revision note appearing in a congressional report accompanying this Act. If such a revision note does appear, a court shall consider the revision note in interpreting the change.”

TRANSITIONAL AND SAVINGS PROVISIONS: PUB. L. 117-286

Pub. L. 117-286, § 5, Dec. 27, 2022, 136 Stat. 4360, provided that:

“(a) DEFINITIONS.—In this section:

“(1) RESTATED PROVISION.—The term ‘restated provision’ means a provision of title 5, United States Code, that is enacted by section 3.

“(2) SOURCE PROVISION.—The term ‘source provision’ means a provision of law that is replaced by a restated provision.

“(b) CUTOFF DATE.—The restated provisions replace certain provisions of law enacted on or before October 19, 2021. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding restated provision. If a law enacted after that date is otherwise inconsistent with a restated provision or a provision of this Act [enacting chapters 4, 10, and 131 of this title, repealing provisions formerly set out in the Appendix to this title, and making numerous conforming amendments; see Tables for full classification], that law supersedes the restated provision or provision of this Act to the extent of the inconsistency.

“(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—A restated provision is deemed to have been enacted on the date of enactment of the corresponding source provision.

“(d) REFERENCES TO RESTATED PROVISIONS.—A reference to a restated provision is deemed to refer to the corresponding source provision.

“(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding restated provision.

“(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding restated provision.

“(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding restated provision.

“(h) LEGISLATIVE CONSTRUCTION.—An inference of legislative construction is not to be drawn by reason of a restated provision’s location in the United States Code or by reason of the heading used for the restated provision.”

REPEALS: PUB. L. 117-286

Pub. L. 117-286, § 7, Dec. 27, 2022, 136 Stat. 4361 repealed specified laws relating to Federal advisory committees, Inspectors General, and ethics requirements, except with respect to rights and duties that matured, penalties that were incurred, or proceedings that were begun before Dec. 27, 2022.

INTERAGENCY PERSONNEL ROTATIONS

Pub. L. 112-239, div. A, title XI, § 1107, Jan. 2, 2013, 126 Stat. 1974, provided that:

“(a) FINDING AND PURPOSE.—

“(1) FINDING.—Congress finds that the national security and homeland security challenges of the 21st century require that executive branch personnel use a whole-of-Government approach in order for the United States Government to operate in the most effective and efficient manner.

“(2) PURPOSE.—The purpose of this section is to increase the efficiency and effectiveness of the Government by fostering greater interagency experience among executive branch personnel on national security and homeland security matters involving more than 1 agency.

“(b) COMMITTEE ON NATIONAL SECURITY PERSONNEL.—

“(1) ESTABLISHMENT.—There is established a Committee on National Security Personnel within the Executive Office of the President.

“(2) MEMBERSHIP.—The members of the Committee shall include—

“(A) designees of the Director of the Office of Management and Budget, the Director of the Office of Personnel Management, the Assistant to the President for National Security Affairs, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security (1 member to be designated by each); and

“(B) such other members as the President shall designate.

“(c) PROGRAM ESTABLISHED.—

“(1) Not later than 270 days after the date of the enactment of this Act [Jan. 2, 2013], the Committee on National Security Personnel, in consultation with representatives of such other agencies as the Committee determines to be appropriate, shall develop and issue a National Security Human Capital Strategy providing policies, processes, and procedures for a program for the interagency rotation of personnel among positions within National Security Interagency Communities of Interest.

“(2) The strategy required by paragraph (1) shall, at a minimum—

“(A) identify specific Interagency Communities of Interest for the purpose of carrying out the program;

“(B) designate agencies to be included or excluded from the program;

“(C) define categories of positions to be covered by the program;

“(D) establish processes by which the heads of relevant agencies may identify—

“(i) positions in Interagency Communities of Interest that are available for rotation under the program; and

“(ii) individual employees who are available to participate in rotational assignments under the program; and

“(E) promulgate procedures for the program, including—

“(i) any minimum or maximum periods of service for participation in the program;

“(ii) any training and education requirements associated with participation in the program;

“(iii) any prerequisites or requirements for participation in the program; and

“(iv) appropriate performance measures, reporting requirements, and other accountability devices for the evaluation of the program.

“(d) PROGRAM REQUIREMENTS.—The policies, processes, and procedures established pursuant to subsection (c) shall, at a minimum, provide that—

“(1) during each of the first 4 fiscal years after the fiscal year in which this Act is enacted—

“(A) the interagency rotation program shall be carried out in at least 2 Interagency Communities of Interest, of which 1 shall be an Interagency Community of Interest for emergency management and 1 shall be an Interagency Community of Interest for stabilization and reconstruction; and

“(B) not fewer than 20 employees in the executive branch of the Government shall be assigned to participate in the interagency personnel rotation program;

“(2) an employee’s participation in the interagency rotation program shall require the consent of the head of the agency and shall be voluntary on the part of the employee;

“(3) employees selected to perform interagency rotational service are selected in a fully open and competitive manner that is consistent with the merit system principles set forth in paragraphs (1) and (2) of section 2301(b) of title 5, United States Code, unless the Interagency Community of Interest position is otherwise exempt under another provision of law;

“(4) an employee performing service in a position in another agency pursuant to the program established under this section shall be entitled to return, within a reasonable period of time after the end of the period of service, to the position held by the employee, or a corresponding or higher position, in his or her employing agency;

“(5) an employee performing interagency rotational service shall have all the rights that would be available to the employee if the employee were detailed or assigned under a provision of law other than this section from the agency employing the employee to the agency in which the position in which the employee is serving is located; and

“(6) an employee participating in the program shall receive performance evaluations from officials in his or her employing agency that are based on input from the supervisors of the employee during his or her service in the program that are based primarily on the contribution of the employee to the work of the agency in which the employee performed such service, and these performance evaluations shall be provided the same weight in the receipt of promotions and other rewards by the employee from the employing agency as performance evaluations for service in the employing agency.

“(e) SELECTION OF INDIVIDUALS TO FILL SENIOR POSITIONS.—The head of each agency participating in the program established pursuant to subsection (c) shall ensure that, in selecting individuals to fill senior positions within an Interagency Community of Interest, the agency gives a strong preference to individuals who have performed interagency rotational service within the Interagency Community of Interest pursuant to such program.

“(f) INTERAGENCY COMMUNITY OF INTEREST DEFINED.—As used in this section, the term ‘National Security Interagency Community of Interest’ or ‘Interagency Community of Interest’ means the positions in the executive branch of the Government that, as determined by the Committee on National Security Personnel—

“(1) as a group are positions within multiple agencies of the executive branch of the Government; and

“(2) have significant responsibility for the same substantive, functional, or regional subject area related to national security or homeland security that requires integration of the positions and activities in that area across multiple agencies to ensure that the executive branch of the Government operates as a single, cohesive enterprise to maximize mission success and minimize cost.

“(g) REPORT ON PERFORMANCE MEASURES.—Not later than the end of the 2nd fiscal year after the fiscal year in which this Act is enacted, the Committee on National Security Personnel shall assess the performance measures described in subsection (c)(2)(E)(iv) and issue a report to Congress on the assessment of those performance measures.

“(h) GAO REVIEW.—Not later than the end of the 2nd fiscal year after the fiscal year in which this Act is enacted, the Comptroller General of the United States shall submit to Congress a report assessing the implementation and effectiveness of the interagency rotation program established pursuant to this section. The report required by this section shall address, at a minimum—

“(1) the extent to which the requirements of this section have been implemented by the Committee on National Security Personnel and by national security agencies;

“(2) the extent to which national security agencies have participated in the program established pursuant to this section, including whether the heads of such agencies have—

“(A) identified positions within the agencies that are National Security Interagency Communities of Interest and had employees from other agencies serve in rotational assignments in such positions; and

“(B) identified employees who are eligible for rotational assignments in National Security Interagency Communities of Interest and had such employees serve in rotational assignments in other agencies;

“(3) the extent to which employees serving in rotational assignments under the program established pursuant to this section have benefitted from such assignments, including an assessment of—

“(A) the period of service;

“(B) the duties performed by the employees during such service;

“(C) the value of the training and experience gained by participating employees through such service; and

“(D) the positions (including grade level) held by employees before and after completing interagency rotational service under this section; and

“(4) the extent to which interagency rotational service under this section has improved or is expected to improve interagency integration and coordination within National Security Interagency Communities of Interest.

“(i) EXCLUSION.—This section shall not apply to any element of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).”

IMPROVEMENT OF UNITED STATES CODE BY PUB. L. 90-83; LEGISLATIVE PURPOSE; INCONSISTENT PROVISIONS; CORRESPONDING PROVISIONS; SAVINGS AND SEPARABILITY OF PROVISIONS

Pub. L. 90-83, §9(a)-(g), Sept. 11, 1967, 81 Stat. 222, provided that:

“(a) The legislative purpose in enacting sections 1-8 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act. Laws effective after February 21, 1967, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency.

“(b) A reference to a law replaced by sections 1-8 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by sections 1-8 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by sections 1-8 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

“(f) The enactment of this Act does not increase or decrease the pay, allowances, compensation, or annuity of any person.

“(g) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications.”

**PART I—THE AGENCIES
GENERALLY**

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Editorial Notes

AMENDMENTS

2022—Pub. L. 117-286, §4(d)(2), Dec. 27, 2022, 136 Stat. 4359, added items for chapters 4 and 10.
1996—Pub. L. 104-121, title II, §253, Mar. 29, 1996, 110 Stat. 874, added item for chapter 8.

CHAPTER 1—ORGANIZATION

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101.	Executive departments.
102.	Military departments.
103.	Government corporation.
104.	Independent establishment.
105.	Executive agency.

§ 101. Executive departments

The Executive departments are:
The Department of State.
The Department of the Treasury.
The Department of Defense.
The Department of Justice.)
The Department of the Interior.
The Department of Agriculture.
The Department of Commerce.
The Department of Labor.
The Department of Health and Human Services.
The Department of Housing and Urban Development.
The Department of Transportation.
The Department of Energy.
The Department of Education.
The Department of Veterans Affairs.
The Department of Homeland Security.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378; Pub. L. 89-670, §10(b), Oct. 15, 1966, 80 Stat. 948; Pub. L. 91-375, §6(c)(1), Aug. 12, 1970, 84 Stat. 775; Pub. L. 95-91, title VII, §710(a), Aug. 4, 1977, 91 Stat. 609; Pub. L. 96-88, title V, §508(b), Oct. 17, 1979, 93 Stat. 692; Pub. L. 100-527, §13(b), Oct. 25, 1988, 102 Stat. 2643; Pub. L. 109-241, title IX, §902(a)(1), July 11, 2006, 120 Stat. 566.)

¹Pub. L. 90-83 added section 500 to chapter 5 without making a corresponding change in Part analysis.
²Editorially supplied. Chapter 6 added by Pub. L. 96-354 without a corresponding amendment of Part analysis.

HISTORICAL AND REVISION NOTES

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	5 U.S.C. 1.	R.S. §158. Feb. 9, 1889, ch. 122, §1 (38th through 54th words), 25 Stat. 659. Feb. 14, 1903, ch. 552, §1 (83d through 99th words), 32 Stat. 825. Mar. 4, 1913, ch. 141, §1 (75th through 91st words), 37 Stat. 736. Aug. 10, 1949, ch. 412, §4 “Sec. 201(c)”, 63 Stat. 579. July 31, 1956, ch. 802, §1(a), 70 Stat. 732. R.S. §159.
.....	5 U.S.C. 2.	

The reference in former section 1 to the application of the provisions of this title, referring to title IV of the Revised Statutes, is omitted as unnecessary as the application of those provisions is stated in the text.

The statement in former section 2 that the use of the word “department” means one of the Executive departments named in former section 1 is omitted as unnecessary as the words “Executive department” are used in this title when Executive department is meant.

“The Department of Commerce” is substituted for “The Department of Commerce and Labor” on authority of the act of March 4, 1913, ch. 141, §1, 37 Stat. 736.

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-241 inserted “The Department of Homeland Security.”
1988—Pub. L. 100-527 inserted “The Department of Veterans Affairs.”
1979—Pub. L. 96-88 substituted “Department of Health and Human Services” for “Department of Health, Education, and Welfare” and inserted “The Department of Education.”
1977—Pub. L. 95-91 inserted “The Department of Energy.”
1970—Pub. L. 91-375 struck out “The Post Office Department.”
1966—Pub. L. 89-670 inserted “The Department of Housing and Urban Development.” and “The Department of Transportation.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans’ Benefits.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of Title 20, Education.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-375 effective within 1 year after Aug. 12, 1970, on date established therefor by Board of Governors of United States Postal Service and published by it in Federal Register, see 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 the President and published in the 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.