

Executive Order 12171--Exclusions from the Federal Labor-Management Relations Program

Source: The provisions of Executive Order 12171 of Nov. 19, 1979, appear at 44 FR 66565, 3 CFR, 1979 Comp., p. 458, unless otherwise noted.

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 7103(b) of Title 5 of the United States Code, and in order to exempt certain agencies or subdivisions thereof from coverage of the Federal Labor-Management Relations Program, it is hereby ordered as follows:

1-1. Determinations.

1-101. The agencies or subdivisions thereof set forth in Section 1-2 of this Order are hereby determined to have as a primary function intelligence, counterintelligence, investigative, or national security work. It is also hereby determined that Chapter 71 of Title 5 of the United States Code cannot be applied to those agencies or subdivisions in a manner consistent with national security requirements and considerations. The agencies or subdivisions thereof set forth in Section 1-2 of this Order are hereby excluded from coverage under Chapter 71 of Title 5 of the United States Code.

1-102. Having determined that it is necessary in the interest of national security, the provisions of Chapter 71 of Title 5 of the United States Code are suspended with respect to any agency, installation, or activity listed in Section 1-3 of this Order. However, such suspension shall be applicable only to that portion of the agency, installation, or activity which is located outside the 50 States and the District of Columbia.

1-2. Exclusions.

1-201. The Information Security Oversight Office, General Services Administration.

1-202. The Federal Research Division, Research Services, the Library of Congress.

1-203. Agencies or subdivisions of the Department of the Treasury:

- (a) The U.S. Secret Service.
- (b) The U.S. Secret Service Uniformed Division.
- (c) The Office of Special Assistant to the Secretary (National Security).
- (d) The Office of Intelligence Support (OIS).
- (e) The Office of the Assistant Secretary (Enforcement and Operations) (OEO).
- (f) The Office of Criminal Enforcement, Bureau of Alcohol, Tobacco, and Firearms.
- (g) The Office of Investigations, U.S. Customs Service.
- (h) The Criminal Investigation Division, Internal Revenue Service.

1-204. Agencies or subdivisions of the Department of the Army, Department of Defense:

- (a) Office of Assistant Chief of Staff for Intelligence.
- (b) U.S. Army Intelligence and Security Command.
- (c) U.S. Army Foreign Science and Technology Center.

- (d) U.S. Army Intelligence Center and School.
- (e) U.S. Army Missile Intelligence Agency.
- (f) Foreign Intelligence Office, U.S. Army Missile Research and Development Command.

1-205. Agencies or subdivisions of the Department of the Navy, Department of Defense:

- (a) Office of Naval Intelligence.
- (b) Naval Intelligence Command Headquarters and Subordinate Commands.
- (c) Headquarters, Naval Security Group Command.
- (d) Naval Security Group Activities and Detachments.
- (e) Fleet Intelligence Center, Europe and Atlantic (FICEURLANT).
- (f) Fleet Intelligence Center, Pacific (FICPAC).
- (g) Units composed primarily of employees engaged in the operation, repair, and/or maintenance of "off line" or "on line" cryptographic equipment.
- (h) Units composed primarily of employees of naval telecommunications activities in positions which require a cryptographic authorization.

1-206. Agencies or subdivisions of the Department of the Air Force, Department of Defense:

- (a) Office of Space Systems, Office of the Secretary of the Air Force.
- (b) Office of Special Projects, Office of the Secretary of the Air Force.
- (c) Engineering Office, Space and Missile Systems Organization (Air Force Systems Command).
- (d) Program Control Office, Space and Missile Systems Organization (Air Force Systems Command).
- (e) Detachment 3, Space and Missile Systems Organization (Air Force Systems Command).
- (f) Defense Dissemination Systems Program Office, Space and Missile Systems Organization (Air Force Systems Command).
- (g) Satellite Data System Program Office, Space and Missile Systems Organization (Air Force Systems Command).
- (h) Project Office at El Segundo, California, Office of the Secretary of the Air Force.
- (i) Project Office at Patrick Air Force Base, Florida, Office of the Secretary of the Air Force.
- (j) Project Office at Fort Myer, Virginia, Office of the Secretary of the Air Force.
- (k) Air Force Office of Special Investigations.
- (l) U.S. Air Force Security Service.
- (m) Foreign Technology Division, Air Force Systems Command, Wright-Patterson Air Force Base.
- (n) 1035 Technical Operations Group (Air Force Technical Applications Center), Air Force Systems Command, and subordinate units.
- (o) 3480 Technical Training Wing, Air Training Command, Goodfellow Air Force Base, Texas.
- (p) Office of the Assistant Chief of Staff, Intelligence.
- (q) Air Force Intelligence Service.

[Sec. 1-206 amended by Executive Order 12338 of Jan. 11, 1982, 47 FR 1369, 3 CFR, 1982 Comp., p. 120]

1-207. The Defense Intelligence Agency, Department of Defense.

1-208. The Defense Investigative Service, Department of Defense.

Sec. 1-209. *Agencies or subdivisions of the Department of Justice.* (a) The Office of Enforcement and the Office of Intelligence, including all domestic field offices and intelligence units, of the Drug Enforcement Administration.

(b) The Office of Special Operations, the Threat Analysis Group, the Enforcement Operations Division, the Witness Security Division and the Court Security Division in the Office of the Director and the Enforcement Division in Offices of the United States Marshals in the United States Marshals Service.

[Sec. 1-209 amended by Executive Order 12632 of Mar. 23, 1988, 53 FR 9852, 3 CFR, 1988 Comp., p. 560]

1-210. Agencies or subdivisions of the Department of Energy.

(a) The Albuquerque, Nevada and Savannah River operations offices under the Under Secretary of Energy.

(b) Offices of the Assistant Secretary for Defense Programs.

[Sec. 1-210 amended by Executive Order 12338 of Jan. 11, 1982, 47 FR 1369, 3 CFR, 1982 Comp., p. 120]

1-211. Offices within the Agency for International Development:

(a) The Immediate Office of the Auditor General.

(b) The Office of Inspections and Investigations.

(c) The Office of Security.

(d) The Office of the Area Auditor General/Washington.

1-212. Agencies or subdivisions under the operational jurisdiction of the Joint Chiefs of Staff (JCS).

(a) Intelligence Division (J-2), Headquarters Atlantic Command (LANTCOM).

(b) Atlantic Command Electronic Intelligence Center.

(c) Intelligence Directorate (J-2), Headquarters U.S. European Command (USEUCOM).

(d) Special Security Office (SSO), Headquarters U.S. European Command (USEUCOM).

(e) European Defense Analysis Center (EUDAC).

(f) Intelligence Directorate (J-2), Headquarters Pacific Command (PACOM).

(g) Intelligence Center Pacific (IPAC).

(h) Intelligence Directorate (J-2), Headquarters U.S. Southern Command (USSOUTHCOM).

(i) Intelligence Directorate (J-2), Headquarters U.S. Readiness Command (USREDCOM)/Joint Deployment Agency.

(j) Deputy Chief of Staff/Intelligence, Headquarters Strategic Air Command (SAC).

(k) 544th Strategic Intelligence Wing, Strategic Air Command (SAC).

(l) Deputy Chief of Staff/Intelligence, Headquarters 15th Air Force, Strategic Air Command (SAC).

(m) Deputy Chief of Staff/Intelligence, Headquarters 8th Air Force, Strategic Air Command

(SAC).

- (n) Strategic Reconnaissance Center, Headquarters Strategic Air Command (SAC).
- (o) 6th Strategic Wing, Strategic Air Command (SAC).
- (p) 9th Strategic Reconnaissance Wing, Strategic Air Command (SAC).
- (q) 55th Strategic Reconnaissance Wing, Strategic Air Command (SAC).
- (r) 306th Strategic Wing, Strategic Air Command (SAC).
- (s) 376th Strategic Wing, Strategic Air Command (SAC).
- (t) Deputy Chief of Staff/Operations Plans, Headquarters Strategic Air Command (SAC).
- (u) The Joint Strategic Target Planning Staff (JSTPS).
- (v) The Joint Special Operations Command (JSOC).

[Sec. 1-212 added by Executive Order 12338 of Jan. 11, 1982, 47 FR 1369, 3 CFR, 1982 Comp., p. 120; amended by Executive Order 12410 of Mar. 28, 1983, 48 FR 13143, 3 CFR, 1983 Comp., p. 155]

1-213. The subdivisions of the Federal Aviation Administration, Department of Transportation:

- (a) Federal Air Marshal Branch, International Civil Aviation Security Division, Office of Civil Aviation Security.
- (b) Units composed of Civil Aviation Security Inspectors in Civil Aviation Security divisions whose responsibilities require Federal air marshal functions.

[Sec. 1-213 added by Executive Order 12666 of Jan. 12, 1989, 54 FR 1921, 3 CFR, 1989 Comp., p. 207]

1-3. *Units outside the 50 States and the District of Columbia.*

1-301. The Drug Enforcement Administration, Department of Justice.