

Executive Order 12608 of September 9, 1987

## Elimination of Unnecessary Executive Orders and Technical Amendments to Others

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to eliminate certain Executive Orders that are no longer necessary, and to make technical amendments in others to correct outdated agency references or obsolete legal citations, it is hereby ordered as follows:

**Section 1.** The following Executive Orders are revoked:

- 8744 Authorizing certain employees of the Government to acquire a classified civil service status
- 10880 Permitting certain employees to be given career or career conditional appointments
- 11377 Providing for Tariff Commission reports regarding the estimated consumption of certain brooms
- 11911 Providing for preservation of endangered species
- 12034 Providing for the appointment of former ACTION cooperative volunteers to the civilian career service
- 12295 Extending nuclear cooperation with EURATOM
- 12426 Establishing the President's Advisory Committee on Women's Business Ownership

Notwithstanding the revocation of Executive Orders Nos. 8744, 10880, and 12034, benefits already conferred under these Executive Orders before revocation shall not be affected.

**Sec. 2.** Each of the Executive Orders, as amended, listed in this section, and any other order that relates to functions or areas of responsibility delegated to the Office of Management and Budget, are amended by deleting the words "Bureau of the Budget" wherever they occur and inserting in lieu thereof "Office of Management and Budget", and by deleting the word "Bureau" and inserting in lieu thereof "Office" wherever the word "Bureau" is used as a reference to the Office of Management and Budget:

8248	10903	11044
9830	11012	11047
10582	11030	11060
10624	11034	11140
		11480

**Sec. 3.** Executive Order No. 9979 is amended by revoking paragraph 1 and deleting the "2." introducing the remaining paragraph.

**Sec. 4.** Executive Order No. 10289, as amended, is further amended as follows:

(a) In Section 1(c), by deleting the words "section 2 of the Act of August 18, 1914, c. 256, 38 Stat. 699 (46 U.S.C. 82)," and inserting in lieu thereof "section 1 of the Act of August 28, 1985, Public Law 98-89, 97 Stat. 510 (46 U.S.C. 3101);" and by deleting the words "survey, inspection, and measurement of" and inserting in lieu thereof "the inspection of."

(b) In Section 1(d), by deleting the words "(46 U.S.C. 104)," and inserting in lieu thereof "(46 U.S.C. Appendix 104).";

(c) In Section 1(e), by deleting the words "(46 U.S.C. 134)," and inserting in lieu thereof "(46 U.S.C. Appendix 134).";

(d) In Section 1(f), by deleting the words "(46 U.S.C. 141).", "(46 U.S.C. 121)," and "(46 U.S.C. 146)," and inserting in lieu thereof "(46 U.S.C. Appendix 141)," "(46 U.S.C. Appendix 121)," and "(46 U.S.C. Appendix 146).";

(e) By revoking Sections 1(g) and 1(j), and renumbering Sections 1(h) and 1(i) as Sections 1(g) and 1(h), respectively;

(f) Adding a new subsection (i) to Section 1:

"(i) The authority vested in the President by Section 5318 of the Revised Statutes, as amended (19 U.S.C. 540), to employ suitable vessels other than Coast Guard cutters in the execution of laws providing for the collection of duties on imports and tonnage;"

(g) In Section 2(e), by deleting the words ", exclusive of the territory and waters of the Canal Zone"; and

(h) By revoking Section 2(f).

**Sec. 5.** Part V of Executive Order No. 10530, as amended, is further amended as follows:

(a) By deleting the words "Administrator of General Services" wherever they appear and inserting in lieu thereof "Archivist of the United States";

(b) By deleting the words "(44 U.S.C. 305(a))" and inserting in lieu thereof "(44 U.S.C. 1505(a)).";

(c) By deleting the words "(44 U.S.C. 306; 311(a); and 311(f))," and inserting in lieu thereof "(44 U.S.C. 1506; 1510(a) and 1510(f)).";

(d) Adding the words "(44 U.S.C. 1505(b))," following the words "section 5(b) of the act,";

(e) Adding the words "(44 U.S.C. 1510(a))," following the words "in the said section 11(a)."; and

(f) Adding the words "(44 U.S.C. 1510)", following the words "provisions of section 11".

**Sec. 6.** Executive Order No. 10608 is amended by deleting the words "Foreign Service Act of 1946 (60 Stat. 999)" and inserting in lieu thereof "Foreign Service Act of 1980 (94 Stat. 2071)".

**Sec. 7.** Executive Order No. 10624, as amended, is further amended as follows:

(a) In the preamble, by deleting the words "sections 602(d), 603, and 605 of Title VI of the Act of August 28, 1954, 68 Stat. 908, 909" and inserting in lieu

thereof "sections 605, 606B and 606D of Title VI of the Act of August 28, 1954, as amended, (7 U.S.C. 1765, 1766a, and 1766c)"; and

(b) In Section 1(a), by deleting the words "The provisions of Part II—Procedures for Coordination Abroad—of Executive Order No. 10575 of November 6, 1954," and inserting in lieu thereof "The provisions of section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927)".

**Sec. 8.** Executive Order No. 10840, as amended, is further amended by replacing the first paragraph and the provisions it presents with the following:

"Whereas the Assignment of Claims Act of 1940 (54 Stat. 1029), as amended by the Act of September 13, 1982, 96 Stat. 976 (31 U.S.C. 3727), contains the following provisions:

"During a war or national emergency proclaimed by the President or declared by law and ended by proclamation or law, a contract with the Department of Defense, the General Services Administration, the Department of Energy (when carrying out duties and powers formerly carried out by the Atomic Energy Commission), or other agency the President designates may provide, or may be changed without consideration to provide, that a future payment under the contract to an assignee is not subject to reduction or setoff. A payment subsequently due under the contract (even after the war or emergency is ended) shall be paid to the assignee without a reduction or setoff for liability of the assignor—

(1) to the Government independent of the contract; or

(2) because of renegotiation, fine, penalty (except an amount that may be collected or withheld under, or because the assignor does not comply with, the contract), taxes, social security contributions, or withholding or failing to withhold taxes or social security contributions, arising from, or independent of, the contract.

"An assignee under this section does not have to make restitution of, refund, or repay the amount received because of the liability of the assignor to the Government that arises from or is independent of, the contract.

"The Government may not collect or reclaim money paid to a person receiving an amount under an assignment or allotment of pay or allowances authorized by law when liability may exist because of the death of the person making the assignment or allotment."

**Sec. 9.** Sections 2(a) and 2(b) of Executive Order No. 10841, as amended, are further amended by deleting the words "Atomic Energy Commission" and inserting in lieu thereof "Secretary of Energy".

**Sec. 10.** Executive Order No. 11023 is amended by deleting the words "Coast and Geodetic Survey" except in citing the "Coast and Geodetic Survey Commissioned Officers Act of 1948", and inserting in lieu thereof "National Oceanic and Atmospheric Administration".

**Sec. 11.** Executive Order No. 11030, as amended, is further amended as follows:

(a) In Section 2(c), by deleting the words "National Archives and Records Service, General Services Administration" and inserting in lieu thereof "National Archives and Records Administration";

(b) In Section 5, by deleting the words "44 U.S.C. 312" and inserting in lieu thereof "44 U.S.C. 1511";

(c) In Section 6, by deleting the words "44 U.S.C. 305(a)" and inserting in lieu thereof "44 U.S.C. 1505(a)".

**Sec. 12.** Executive Orders No. 11034 and 12048 are amended by deleting the words "Health, Education, and Welfare" wherever they appear and inserting in lieu thereof "Education".

**Sec. 13.** Executive Order No. 11047 and any other Executive order that relates to functions or areas of responsibility delegated to the Federal Aviation Administration are amended by deleting the words "Federal Aviation Agency" and "Agency" wherever they appear and inserting in lieu thereof "Federal Aviation Administration" and "Administration".

**Sec. 14.** Executive Order No. 11077, as amended, is further amended as follows:

(a) By deleting the second sentence in Section 1(b);

(b) By deleting the words "the Department of Health, Education, and Welfare, and of" in Section 1(c);

(c) By revoking Section 2;

(d) By renumbering Sections 3, 4, 5, 6, and 7 as Sections 2, 3, 4, 5, and 6 respectively; and

(e) By deleting in renumbered Sections 2(a) and 2(b), the words "and the Secretary of Health, Education, and Welfare may each" and inserting in lieu thereof "may".

**Sec. 15.** Each of the Executive Orders, as amended, listed in this Section and any other order that relates to functions or areas of responsibility delegated to the Department of Health and Human Services, is amended and revised by deleting the words "Department of Health, Education, and Welfare" wherever they occur and inserting in lieu thereof "Department of Health and Human Services", and by deleting the words "Secretary of Health, Education, and Welfare" wherever they appear and inserting in lieu thereof "Secretary of Health and Human Services":

11079	11609	12049
11140	11623	12086
11157	11687	12138
11480	11776	12146
11490	11800	12154
11583	11899	12196
		12208

**Sec. 16.** Executive Order No. 11390, as amended, is further amended as follows:

(a) By revoking Section 1(1);

(b) By revoking Section 1(7); and

(c) In Section 1(4), by deleting the words "by sections 565, 599, 3450, and 8450" and inserting in lieu thereof "by sections 565 and 599".

**Sec. 17.** Executive Order No. 11440, as amended, is further amended by deleting the words "Administrator of General Services" and the word "Administrator" wherever they appear, and inserting in lieu thereof "Archivist of the United States" and "Archivist".

**Sec. 18.** Section 2 of Executive Order No. 11467 is amended by deleting the words "Secretary of the Interior" and inserting the words "Secretary of Commerce".

**Sec. 19.** Executive Order No. 11561, as amended, is amended by deleting the words "Foreign Service Act of 1946" and inserting in lieu thereof "Foreign Service Act of 1980".

**Sec. 20.** Executive Order No. 11580 is amended by deleting the words "Administrator of the National Credit Union Administration" and inserting in lieu thereof "National Credit Union Administration Board" in the first paragraph.

**Sec. 21.** Section 7 of Executive Order No. 11644, as amended, is further amended by deleting the words "Atomic Energy Commission" and inserting in lieu thereof "Secretary of Energy and the Nuclear Regulatory Commission".

**Sec. 22.** Executive Order No. 11747 is amended by revoking Section 1 and deleting the words "Sec. 2.".

**Sec. 23.** Section 1(a) of Executive Order No. 11755 is amended by adding the words "the Commonwealth of the Northern Mariana Islands," after the words "American Samoa," wherever they appear.

**Sec. 24.** Section 4 of Executive Order No. 11758, as amended, is further amended by deleting the words "Federal Procurement Regulations, the Armed Services Procurement Regulations," and inserting in lieu thereof "Federal Acquisition Regulations".

**Sec. 25.** Executive Order No. 11845 is amended as follows:

(a) By inserting, after the words "88 Stat. 332," the words "(2 U.S.C. 681 *et seq.*)";

(b) By inserting, after the words "section 1012 or 1013", the words "(2 U.S.C. 683 and 684)"; and

(c) By inserting, after the words "section 1014(e) of the Act", the words "(2 U.S.C. 685(e))".

**Sec. 26.** Executive Order No. 11880 is amended by deleting the words "Under Secretary of Commerce" and inserting in lieu thereof "Deputy Secretary of Commerce".

**Sec. 27.** Executive Order No. 11899, as amended, is further amended by deleting the words "(88 Stat. 2210, 25 U.S.C. 450(i))," and inserting in lieu thereof "(88 Stat. 2210, 25 U.S.C. 450 i)".

**Sec. 28.** Section 6 of Executive Order No. 11990 is amended by deleting the words "and the Water Resources Council".

**Sec. 29.** Executive Order No. 12101 is amended by deleting the words "Sections 4 and 6 of the Diplomatic Relations Act (92 Stat. 809; 22 U.S.C. 254c and 254e)" and inserting in lieu thereof "Section 4 of Diplomatic Relations Act (92 Stat. 809; 22 U.S.C. 254c)."

**Sec. 30.** Section 1-201(a) of Executive Order No. 12163, as amended, is further amended by revoking paragraphs (23) and (24), and by renumbering paragraphs (25), (26), (27), and (28) as paragraphs (23), (24), (25), and (26) respectively.

**Sec. 31.** Executive Order No. 12322 is amended by deleting the words "Principles and Standards for Water and Related Land Resources Planning (Part 711 of Title 18 of the Code of Federal Regulations (45 F.R. 64366))," and inserting in lieu thereof "Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies".

**Sec. 32.** Executive Order No. 12328 is amended by deleting the words "(25 CFR 251.5 and 252.31)" and inserting in lieu thereof "(25 CFR 140.5 and 141.31)".

RONALD REAGAN

THE WHITE HOUSE,

*September 9, 1987.*

**Executive Order 12609 of September 23, 1987**

**President's Commission on Compensation of Career Federal Executives**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to extend the period within which the President's Commission on Compensation of Career Federal Executives may complete its work, it is hereby ordered that Section 2(b) of Executive Order No. 12592 of April 10, 1987, is amended by striking out "August 1, 1987" and inserting in lieu thereof "February 28, 1988".

RONALD REAGAN

THE WHITE HOUSE,

*September 23, 1987.*

**Executive Order 12610 of September 30, 1987**

**Continuance of Certain Federal Advisory Committees**

By the authority vested in me as President by the Constitution and statutes of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C., App.), it is hereby ordered as follows: