

LEGISLATIVE HISTORY:

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS (1979):

Vol. 15, No. 14: Apr. 2, Presidential message transmitting Reorganization Plan No. 1 of 1979 to Congress. (Also printed as House Document No. 83.)

HOUSE REPORT No. 96-222 accompanying H. Res. 199 (Comm. on Government Operations).

SENATE REPORT No. 96-191 accompanying S. Res. 126 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 125 (1979):

Apr. 3, H. Res. 199, resolution of disapproval, introduced in House and referred to Committee on Government Operations.

Apr. 4, S. Res. 126, resolution of disapproval, introduced in Senate and referred to Committee on Government Operations.

May 23, S. Res. 126 rejected by Senate.

May 31, H. Res. 199 rejected by House.

REORGANIZATION PLAN NO. 2 OF 1979

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 10, 1979, pursuant to the provisions of chapter 9 of title 5 of the United States Code.¹

United States International Development Cooperation Agency

5 USC app.; 22
USC 2381 note.

Effective date
for Secs. 1, 5, 6,
8, Oct. 1, 1979.*

SECTION 1. Establishment of the United States International Development Cooperation Agency

There is hereby established in the executive branch an independent agency to be known as the United States International Development Cooperation Agency (hereinafter referred to as the "Agency").

Secs. 2, 3, 4,
effective
immediately.**

SECTION 2. Director

The Agency shall be headed by the Director of the United States International Development Cooperation Agency (hereinafter referred to as the "Director"), who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate prescribed by law for Level II of the Executive Schedule. The Director shall have primary responsibility for establishing overall development assistance policy and coordinating international development activities supported by the United States. The Director shall serve as the principal advisor to the President and the Secretary of State on international development matters and also shall advise the President on all trade, science and technology, and other matters significantly affecting the developing nations. The Director shall report to the President and, on matters relating to foreign policy, to the Secretary of State. The Director shall designate the order in which other officials shall act for and exercise the powers of the Director during the absence or disability of the Director and the Deputy Director or in the event of vacancies in both such offices.

5 USC 5313.

¹ As amended May 21, 1979.

*As provided for by Executive Order 12163 (Vol. 15, Weekly Compilation of Presidential Documents, p. 1793; 22 USC 2381 note).

**As provided for by Executive Order 12147 (Vol. 15, Weekly Compilation of Presidential Documents, p. 1272; 22 USC 2381 note).

SECTION 3. Deputy Director

The President, by and with the advice and consent of the Senate, may appoint a Deputy Director of the Agency, who shall receive compensation at the rate prescribed by law for Level III of the Executive Schedule. The Deputy Director shall perform such duties and exercise such powers as the Director may from time to time prescribe and, in addition, shall act for and exercise the powers of the Director during the absence or disability of the Director or during a vacancy in such office.

5 USC 5314.

SECTION 4. Associate Directors

The President, by and with the advice and consent of the Senate, may appoint two Associate Directors of the Agency, who shall perform such duties and exercise such powers as the Director may from time to time prescribe and who shall receive compensation at the rate prescribed by law for Level IV of the Executive Schedule.

5 USC 5315.

SECTION 5. Performance of functions

The Director may from time to time establish, alter, consolidate, or discontinue organizational units within the Agency (other than units expressly established by statute or reorganization plan). The Director may from time to time delegate responsibility for carrying out any function or authority of the Director of the Agency to any officer, employee, or unit of the Agency, or any other officer or agency of the executive branch.

SECTION 6. Transfers of functions

(a) There are hereby transferred to the Director all functions and authorities vested in the Agency for International Development or in its administrator pursuant to the following:

(1) sections 233(b), 239(i), 296(e), 297(d), 298(c)(6), 299(d), 601(a) through (d), and 624(f)(2)(C) of the Foreign Assistance Act of 1961, as amended [22 U.S.C. 2193(b), 2199(i), 2220a(e), 2220b(d), 2220c(c)(6), 2220d(d), 2351(a) through (d), and 2384(f)(2)(C)];

(2) section 407 of the Agricultural Trade Development and Assistance Act of 1954, as amended [7 U.S.C. 1736a]; and

(3) section 706 of the Foreign Relations Authorization Act, Fiscal Year 1979 [49 U.S.C. 1518].

(b) There are hereby transferred to the Director all functions and authorities vested in the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, as amended, or in its Administrator pursuant to the following:

22 USC 2151.

(1) sections 101(b), 119, 125, 531(a)(2), 601(e)(2), and 640B of such Act [22 U.S.C. 2151(b), 2151q, 2151w, 2346(a)(2), 2351(e)(2), and 2399c]; and

(2) section 602 of the International Security Assistance and Arms Control Act of 1976 [22 U.S.C. 2352 note].

(c) There are hereby transferred to the Director all functions and authorities vested in the Secretary of State pursuant to the following:

(1) section 101(b) of the Foreign Assistance Act of 1961, as amended [22 U.S.C. 2151(b)], insofar as it relates to policy guidance other than foreign policy guidance, and section 622(c) of such Act [22 U.S.C. 2382(c)], insofar as it relates to development assistance; and

(2) section 901 of Public Law 95-118 (22 U.S.C. 262g).

SECTION 7. Abolition

One of the positions that the President may appoint under section 624(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a), 5 U.S.C. 5315(5)) is hereby abolished.

SECTION 8. Other transfers; interim officers

(a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations and other funds employed, used, held, available, or to be made available in connection with the functions and authorities affected by the establishment of the Agency, as the Director of the Office of Management and Budget shall determine, shall be transferred to the appropriate agency or component at such time or times as the Director of the Office of Management and Budget shall provide, except that no such unexpended balances transferred shall be used for purposes other than those for which the appropriation was originally made. The Director of the Office of Management and Budget shall provide for terminating the affairs of any agency abolished herein and for such further measures and dispositions as such Director deems necessary to effectuate the purposes of this reorganization plan.

(b) Pending the initial appointment of the Director, Deputy Director, and Associate Directors of the Agency, their functions and authorities may be performed, for up to 60 days after section 1 of this reorganization plan becomes effective, by such individuals as the President may designate. Any individual so designated shall be compensated at the rate provided herein for the position whose functions and authorities such individual performs.

SECTION 9. Effective date

This reorganization plan shall become effective on July 1, 1980, or at such earlier time or times as the President shall specify, but not sooner than the earliest time allowable under section 906 of title 5 of the United States Code.

The requirements under 5 USC 906 were met on July 12, 1979.

LEGISLATIVE HISTORY:

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS (1979):

Vol. 15, No. 15: Apr. 10, Presidential message transmitting Reorganization Plan No. 2 of 1979 to Congress. (Also printed as House Document No. 96-94.)

Vol. 15, No. 21: May 21, Presidential message transmitting an amendment to Reorganization Plan No. 2 of 1979 to Congress. (Also printed as House document No. 96-127.)

HOUSE REPORT No. 96-284 accompanying H. Res. 231 (Comm. on Government Operations).

SENATE REPORT No. 96-210 accompanying S. Res. 140 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 125 (1979):

Apr. 24, S. Res. 140, resolution of disapproval, introduced in Senate and referred to Committee on Governmental Affairs.

Apr. 24, H. Res. 231, resolution of disapproval, introduced in House and referred to Committee on Government Operations.

July 9, S. Res. 140, rejected by Senate.

July 11, H. Res. 231, rejected by House.