

Plan No. 5 of 1950 is necessary to accomplish one or more of the purposes set forth in section 2(a) of the Reorganization Act of 1949.

I have found and hereby declare that it is necessary to include in the accompanying reorganization plan, by reason of reorganizations made thereby, provisions for the appointment and compensation of an Administrative Assistant Secretary of Commerce. The rate of compensation fixed for this officer is that which I have found to prevail in respect to comparable officers in the executive branch of the Government.

The taking effect of the reorganizations included in this plan may not in itself result in substantial immediate savings. However, many benefits in improved operations are probable during the next years which will result in a reduction in expenditures as compared with those that would be otherwise necessary. An itemization of these reductions in advance of actual experience under this plan is not practicable.

HARRY S. TRUMAN.

THE WHITE HOUSE, March 13, 1950.

FEDERAL MARITIME BOARD, AND MARITIME FUNCTIONS
OF SECRETARY OF COMMERCE

Section 307 of Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, provided that the functions transferred by the provisions of that Plan should not be subject to the provisions of Reorg. Plan No. 5 of 1950, set out above. Said Reorg. Plan No. 21 of 1950 created, within the Department of Commerce, the Federal Maritime Board, and the Maritime Administration, the latter, with a Maritime Administrator at its head. It abolished the United States Maritime Commission, transferring some of its functions and some of the functions of its Chairman to said Federal Maritime Board. It transferred the remainder of the functions of that Commission and its Chairman to the Secretary of Commerce, with power vested in him to authorize their performance by said Maritime Administrator.

EXECUTIVE ORDER NO. 13339

Ex. Ord. No. 13339, May 13, 2004, 69 F.R. 28037, as amended by Ex. Ord. No. 13403, §3, May 12, 2006, 71 F.R. 28543, which established in the Department of Commerce a President's Advisory Commission on Asian Americans and Pacific Islanders, was superseded by Ex. Ord. No. 13515, §4(a), Oct. 14, 2009, 74 F.R. 53638, formerly set out below, and by Ex. Ord. No. 14031, §4(a), May 28, 2021, 86 F.R. 29680, set out in a note under section 3501 of Title 42, The Public Health and Welfare.

EXECUTIVE ORDER NO. 13515

Ex. Ord. No. 13515, Oct. 14, 2009, 74 F.R. 53635, as amended by Ex. Ord. No. 13585, §4, Sept. 30, 2011, 76 F.R. 62282; Ex. Ord. No. 13652, §8, Sept. 30, 2013, 78 F.R. 61819, which established the President's Advisory Commission on Asian Americans and Pacific Islanders and White House Initiative on Asian Americans and Pacific Islanders, was superseded by Ex. Ord. No. 13872, §4(a), May 13, 2019, 84 F.R. 22324, formerly set out below, and by Ex. Ord. No. 14031, §4(a), May 28, 2021, 86 F.R. 29680, set out in a note under section 3501 of Title 42, The Public Health and Welfare.

EXTENSION OF TERM OF COMMISSION ON ASIAN
AMERICANS AND PACIFIC ISLANDERS

Prior to revocation of Ex. Ord. No. 13515, term of Commission on Asian Americans and Pacific Islanders was extended until Sept. 30, 2019, by Ex. Ord. No. 13811, §1(s), Sept. 29, 2017, 82 F.R. 46363, formerly set out as a note under section 1013 of Title 5, Government Organization and Employees.

Previous extensions of term of Commission on Asian Americans and Pacific Islanders were contained in the following prior Executive Orders:

Ex. Ord. No. 13708, Sept. 30, 2015, 80 F.R. 60271, extended term until Sept. 30, 2017.

Ex. Ord. No. 13652, Sept. 30, 2013, 78 F.R. 61817, extended term until Sept. 30, 2015.

Ex. Ord. No. 13585, Sept. 30, 2011, 76 F.R. 62281, extended term until Sept. 30, 2013.

EXECUTIVE ORDER NO. 13872

Ex. Ord. No. 13872, May 13, 2019, 84 F.R. 22321, which established the President's Advisory Commission on Asian Americans and Pacific Islanders and the White House Initiative on Asian Americans and Pacific Islanders to promote the economic empowerment of Asian Americans and Pacific Islanders, was superseded by Ex. Ord. No. 14031, §4(a), May 28, 2021, 86 F.R. 29680, set out in a note under section 3501 of Title 42, The Public Health and Welfare.

EXTENSION OF TERM OF COMMISSION ON ASIAN
AMERICANS AND PACIFIC ISLANDERS

Term of Commission on Asian Americans and Pacific Islanders extended until Sept. 30, 2021, by Ex. Ord. No. 13889, Sept. 27, 2019, 84 F.R. 52743, formerly set out as a note under section 1013 of Title 5, Government Organization and Employees.

§§ 1502, 1503. Omitted

Editorial Notes

CODIFICATION

Section 1502, act June 5, 1939, ch. 180, §1, 53 Stat. 808, established position of Under Secretary of Commerce. Position abolished by section 2(b)(2) of Reorg. Plan No. 3 of 1979, 44 F.R. 69273, 93 Stat. 1381, set out in the Appendix to Title 5, Government Organization and Employees.

Section 1503, act June 5, 1939, ch. 180, §2, 53 Stat. 808, provided for performance by Under Secretary of Commerce of Secretary's duties on latter's death, absence, etc.

Executive Documents

UNDER SECRETARY FOR INTERNATIONAL TRADE

The additional office of Under Secretary for International Trade, in the Department of Commerce, was provided for by section 2(c) of Reorg. Plan No. 3 of 1979, 44 F.R. 69273, 93 Stat. 1381, set out in the Appendix to Title 5, Government Organization and Employees, to be appointed by the President, by and with the advice and consent of the Senate, to receive compensation at the rate payable for Level III of the Executive Schedule, and to perform such duties and exercise such powers as the Secretary of Commerce may from time to time prescribe.

UNDER SECRETARY FOR TRANSPORTATION

The additional office of "Under Secretary of Commerce for Transportation", in the Department of Commerce, was provided for by section 301 of Reorg. Plan No. 21 of 1950, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, set out in the Appendix to Title 5, Government Organization and Employees, to be appointed by the President, by and with the advice and consent of the Senate, to receive compensation at the rate prescribed by law for Under Secretaries of Executive departments, and to perform such duties as the Secretary of Commerce shall prescribe.

§ 1503a. Under Secretary of Commerce for Economic Affairs

There shall be in the Department of Commerce an Under Secretary of Commerce for Economic Affairs who shall be appointed by the President by and with the advice and consent of the Senate. The Under Secretary shall perform such duties as the Secretary of Commerce shall prescribe.

(Pub. L. 97-195, §1(a), June 16, 1982, 96 Stat. 115.)

§ 1503b. Under Secretary of Commerce for Oceans and Atmosphere; duties; appointment; compensation

There shall be in the Department of Commerce an Under Secretary of Commerce for Oceans and Atmosphere who shall serve as the Administrator of the National Oceanic and Atmospheric Administration established by Reorganization Plan No. 4 of 1970 [5 U.S.C. App.] and perform such duties as the Secretary of Commerce shall prescribe. The Under Secretary shall be appointed by the President by and with the advice and consent of the Senate and shall be compensated at the rate now or hereafter provided for Level III of the Executive Schedule Pay Rates (5 U.S.C. 5314).

(Pub. L. 99-659, title IV, §407(a), Nov. 14, 1986, 100 Stat. 3739.)

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan No. 4 of 1970, referred to in text, is set out under section 1511 of this title.

Statutory Notes and Related Subsidiaries

SERVICE BY INCUMBENT ADMINISTRATOR AND DEPUTY ADMINISTRATOR OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Pub. L. 99-659, title IV, §407(c), Nov. 14, 1986, 100 Stat. 3739, provided that: "The individual serving on the date of enactment of this Act [Nov. 14, 1986]—

"(A) as the Administrator of the National Oceanic and Atmospheric Administration shall also serve as the Under Secretary of Commerce for Oceans and Atmosphere until such time as a successor is appointed under subsection (a) of this section [enacting this section]; and

"(B) as the Deputy Administrator of the National Oceanic and Atmospheric Administration shall also serve as the Assistant Secretary of Commerce for Oceans and Atmosphere until such time as a successor is appointed under subsection (b) of this section [enacting section 1507(c) of this title]."

§ 1504. Repealed. Pub. L. 97-195, §1(c)(1), June 16, 1982, 96 Stat. 115

Section, acts Feb. 14, 1903, ch. 552, §2, 32 Stat. 826; Mar. 4, 1913, ch. 141, §1, 37 Stat. 736; Mar. 3, 1917, ch. 163, §1, 39 Stat. 1111, provided for appointment by President of an Assistant Secretary of Commerce, who would perform such duties as prescribed by Secretary or required by law.

§ 1505. Additional Assistant Secretary; duties, rank of Assistant Secretaries

There shall be in the Department of Commerce one additional Assistant Secretary of Commerce, who shall be appointed by the President, by and with the advice and consent of the Senate. The Secretary of Commerce may assign to his Assistant Secretaries such duties, including the direction of the Bureau of Foreign and Domestic Commerce, as he shall prescribe, or may be required by law. The Assistant Secretaries of Commerce shall be without numerical distinction of rank.

(July 15, 1947, ch. 251, 61 Stat. 326.)

Editorial Notes

CODIFICATION

Provisions of last sentence that fixed the compensation of the Assistant Secretaries of Commerce have been omitted as the positions are under the Executive Schedule under section 5315 of Title 5, Government Organization and Employees.

Section was formerly classified to section 592a of Title 5 prior to the general revision and enactment of Title 5 by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

PRIOR PROVISIONS

Prior provisions for an additional Assistant Secretary of Commerce were contained in act May 20, 1926, ch. 344, §8 (1st sentence), 44 Stat. 573, as amended June 23, 1938, ch. 601, §1107(k), 52 Stat. 1029. Said position was terminated by section 592a-1 of former Title 5, Executive Departments and Government Officers and Employees. Section 8 of act May 20, 1926, was subsequently repealed by Pub. L. 85-726, title XIV, §1401(a), Aug. 23, 1958, 72 Stat. 806, and Pub. L. 97-195, §1(c)(2), June 16, 1982, 96 Stat. 115.

Executive Documents

TRANSFER OF FUNCTIONS

Pursuant to powers transferred to Secretary of Commerce under Reorg. Plan No. 5 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263, set out as a note under section 1501 of this title, Secretary has reassigned functions of Bureau of Foreign and Domestic Commerce to other officers of Department.

ORDER OF SUCCESSION

For order of succession during any period when both Secretary and Deputy Secretary of Commerce are unable to perform functions and duties of office of Secretary, see Ex. Ord. No. 13242, Dec. 18, 2001, 66 F.R. 66260, listed in a table under section 3345 of Title 5, Government Organization and Employees.

§ 1506. Additional Assistant Secretary; appointment; applicability of section 1505

There shall be on and after July 2, 1954 in the Department of Commerce, in addition to the Assistant Secretaries now provided for by law, one additional Assistant Secretary of Commerce, who shall be appointed by the President by and with the advice and consent of the Senate, and who shall be subject in all respects to the provisions of section 1505 of this title, relating to Assistant Secretaries of Commerce.

(July 2, 1954, ch. 456, title III, §304, 68 Stat. 430.)

Editorial Notes

CODIFICATION

Section constitutes the first sentence of section 304 of act July 2, 1954. The second sentence of such section 304 repealed section 3 of Reorg. Plan 5 of 1950, 15 F.R. 3174, 64 Stat. 1263, set out as a note under section 1501 of this title, which established the position of Administrative Assistant Secretary of Commerce.

Section was formerly classified to section 592a-3 of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

§ 1507. Additional Assistant Secretary; appointment; compensation; duties

There shall be in the Department of Commerce, in addition to the Assistant Secretaries now provided by law, one additional Assistant