

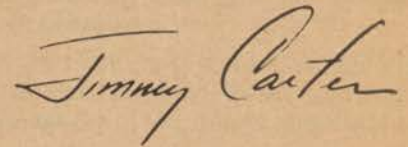
Presidential Documents

Executive Order 12162 of September 28, 1979

Amendment to Executive Order 12140

By the authority vested in me as President by the Constitution and statutes of the United States of America, including the Emergency Petroleum Allocation Act of 1973, as amended (15 U.S.C. 751 *et seq.*), Executive Order No. 12140 is hereby amended by deleting the first sentence in Sec. 1-105.

THE WHITE HOUSE,
September 28, 1979.

A handwritten signature in dark ink, reading "Jimmy Carter". The signature is written in a cursive, flowing style with a large, prominent "C" at the end.

[FR Doc. 79-30633
Filed 9-28-79; 4:50 pm]
Billing code 3195-01-M

Presidential Documents

Executive Order 11624, February 18, 1972

Amendment to Executive Order 11624

At the request of the President, the Secretary of the Department of Justice is directed to issue the following Executive Order:

WILLIAM F. BRYAN

Secretary of the Department of Justice

Presidential Documents

Presidential Determination No. 79-17 of September 28, 1979

Determination and Authorization under Section 614(a) of the Foreign Assistance Act of 1961, as Amended, for Procurement in Nicaragua of Rice, Sorghum, Beans and Corn

Memorandum for the Administrator, Agency for International Development

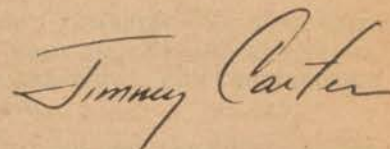
Pursuant to the authority vested in me by section 614(a) of the Foreign Assistance Act of 1961, as amended (the Act), I hereby

A. Determine that the use of approximately \$5.0 million in funds available in FY 1979 for the procurement in Nicaragua of rice, sorghum, beans and corn, without regard to the requirements of section 604(e) of the Act, is important to the security of the United States; and

B. Authorize such use of approximately \$5.0 million in funds for the procurement in Nicaragua of rice, sorghum, beans and corn.

This determination shall be published in the **Federal Register**, as required by law.

THE WHITE HOUSE,
Washington, September 28, 1979.



THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO

Presidential Documents

Proclamation 4693 of September 28, 1979

Thanksgiving Day, 1979

By the President of the United States of America

A Proclamation

Thanksgiving Day was first celebrated in this land not in a moment of unbridled triumph, but in times of great adversity. The colonies of Massachusetts and Virginia had few material possessions to help them face the dangers of the wilderness. They had no certainty that the harvests for which they gave thanks would be sufficient to carry them through a long winter. Yet they gave thanks to God for what they had and for the hope of this new land.

In the darkest hour of the American Revolution, when the young Republic faced defeat by the strongest military power on Earth, our forefathers also saw fit to give thanks for their blessings. In the midst of a devastating Civil War, President Lincoln proclaimed a day to express gratitude for our "singular deliverances and blessings."

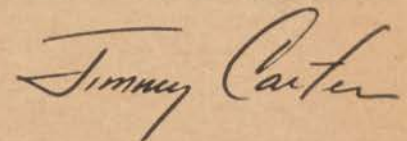
The ensuing years have multiplied our nation's blessings. We have been delivered from repeated perils, and we have been blessed with abundance beyond the imaginings of those who offered thanks in the chill of approaching winter more than three-and-one-half centuries ago.

Succeeding generations have broadened the freedom they cherished and the opportunity they sought, and built a mighty nation on the strong foundations they laid. In this two hundred and fourth year of our independence, we have good reasons for gratitude: for liberty in a world where repression is common, for peace in a world of threats and terror and war, for a bounteous harvest in a world where hunger and despair still stalk much of mankind.

Like those who came before us, we come to give thanks for our singular deliverances and blessings, in a time of both danger and great promise. May we be thankful in proportion to that which we have received, trusting not in our wealth and comforts, but in the strength of our purpose, that all nations might be similarly blessed with liberty and abundance and live in peace.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do proclaim Thursday, the 22nd of November, 1979 as Thanksgiving Day. I ask all Americans to give thanks on that day for the blessings Almighty God has bestowed upon us, and seek to be good stewards of what we have received.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of September, in the year of our Lord nineteen hundred seventy-nine, and of the Independence of the United States of America the two hundred and fourth.



Presidential Documents

Proclamation 4694 of September 29, 1979

Staged Reduction of Rates of Duty on Certain Products to Carry Out a Trade Agreement With Argentina

By the President of the United States of America

A Proclamation

1. I have determined, pursuant to section 101(a) of the Trade Act of 1974 (the Trade Act) (19 U.S.C. 2111(a)), that certain existing duties of the United States are unduly burdening and restricting the foreign trade of the United States and that one or more of the purposes of the Trade Act would be promoted by entering into the trade agreement with Argentina identified in the third recital of this proclamation.

2. Sections 131(a), 132, and 133 of the Trade Act (19 U.S.C. 2151(a), 2153, and 2154) and section 4(c) of Executive Order No. 11846 of March 27, 1975, have been complied with.

3. Pursuant to Title I of the Trade Act (19 U.S.C. 2111 *et seq.*), I have, through my duly empowered representative, on August 10, 1979, entered into a trade agreement with Argentina, effective October 1, 1979, pursuant to which United States rates of duty on certain products would be modified as hereinafter proclaimed and as provided for in the annexes to this proclamation, in exchange for certain measures which will benefit United States interests.

4. In order to implement the trade agreement referred to in the third recital of this proclamation it is necessary to modify the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202) as provided for in the annexes to this proclamation, attached hereto and made a part hereof.

5. Pursuant to the Trade Act, I determine that the modifications or continuance of existing duties hereinafter proclaimed are required or appropriate to carry out the trade agreement identified in the third recital of this proclamation.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including sections 101, 105, 109, and 604 of the Trade Act (19 U.S.C. 2111, 2115, 2119, and 2483), do proclaim that—

(1) Part 2B and part 5A of schedule 1 of the TSUS are modified as provided in Annexes I and II to this proclamation.

(2) Each of the modifications to the TSUS made by this proclamation shall be effective as to articles entered, or withdrawn from warehouse, for consumption on or after October 1, 1979.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of September, in the year of our Lord, nineteen hundred and seventy-nine and of the Independence of the United States of America the two hundred and fourth.

ANNEX I

Notes:

1. A rate of duty specifically set forth in this annex which does not reflect a concession granted in the trade agreement with Argentina is enclosed in brackets. Additional bracket matter is included to assist in the understanding of proclaimed modifications.

2. The items and superior descriptions in this annex are set forth in columnar form, and material in such columns is inserted in the columns designated, "Item", "Articles", "Rates of Duty 1", and "Rates of Duty 2", respectively, in the TSUS.

Subject to the above notes and to the insertion, as indicated herein, of the appropriate rates of duty set forth in Annex II to this proclamation, the TSUS are modified as follows:

Part 5A of schedule 1 of the TSUS is modified by redesignating item 121.60 as "121.64" and by deleting item 121.59 and substituting the following new items in lieu thereof:

(Leather...:)

(Other:)

(Other:)

(Not...:)

"Other:

121.61

121.63

Bovine....(See Annex II)(25% ad val.)

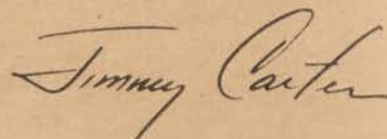
Other.....(5% ad val.) (25% ad val.)"

ANNEX II

Staged-rate Modifications of the
Tariff Schedules of the United States

Each rate in the following table, for an item in the Tariff Schedules of the United States (TSUS) identified therein, is inserted in column numbered 1 in such item, effective for articles provided for therein which are entered, or withdrawn from warehouse, for consumption on and after the date at the head of the column in which such rate is set forth and, except for rates in the final column, such rate shall be superseded by the rate for that item in the immediately following column, effective for articles which are entered, or withdrawn from warehouse, for consumption on and after the date at the head of such latter column:

Item in TSUS as modified by Annex I	Rates of duty, effective on and after October 1, --		
	1979	1980	1981
107.48	4.5% ad val.	3% ad val.	3% ad val.
121.61	2% ad val.	1% ad val.	Free



Presidential Documents

Executive Order 12163 of September 29, 1979

Administration of Foreign Assistance and Related Functions

By virtue of the authority vested in me by the Foreign Assistance Act of 1961, Reorganization Plan No. 2 of 1979, the International Development Cooperation Act of 1979, and section 301 of title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

1-1. UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

1-101. *Establishment of the United States International Development Cooperation Agency.* Sections 1, 5, 6, and 8 of Reorganization Plan No. 2 of 1979 are declared effective and the United States International Development Cooperation Agency (hereinafter referred to as "IDCA") is hereby established.

1-102. *Delegation of Functions.* (a) Exclusive of the functions otherwise delegated, or reserved to the President, by this order, and subject to the provisions of this order, there are hereby delegated to the Director of IDCA (hereinafter referred to as the "Director") all functions conferred upon the President by:

(1) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 *et seq.*); (hereinafter referred to as the "Act");

(2) the Latin American Development Act (22 U.S.C. 1942 *et seq.*);

(3) section 402 of the Mutual Security Act of 1954 (22 U.S.C. 1922);

(4) section 413(b) of the International Security Assistance and Arms Export Control Act of 1976 (22 U.S.C. 2431); and

(5) title IV of the International Development Cooperation Act of 1979 (22 U.S.C. 3501 *et seq.*) (hereinafter referred to as the "IDC Act of 1979").

(b) The functions under sections 116(e), 491(b), 491(c), 607, 627, 628, 630(3), and 666 of the Act, and section 403(e) of the IDC Act of 1979, delegated to the Director shall be exercised in consultation with the Secretary of State.

(c) The functions under section 125(b) of the Act delegated to the Director shall be exercised in consultation with the Secretary of the Treasury and, with regard to the United Nations Development Program, in consultation with the Secretary of State.

(d) The Director shall exercise the functions of the President under sections 301(a), 301(e)(1), 301(e)(3), and 305 of the Act only insofar as they pertain to the United Nations Development Program, UNICEF, the Organization of American States Technical Assistance Funds, the United Nations Capital Development Fund, the United Nations Educational and Training Program for Southern Africa, the United Nations/Food and Agriculture Organization World Food Program, the Food and Agriculture Organization Post-Harvest Losses Fund, the United Nations Disaster Relief Organization, and any other international programs whose purpose is primarily developmental.

(e) In carrying out the functions under section 653 of the Act that are delegated to the Director, the Director shall consult with the Director of the Office of Management and Budget.

(f) To the extent practicable, the Director will exercise functions relating to Foreign Service personnel in a manner that will assure maximum compatibil-

ity among agencies authorized by law to utilize the Foreign Service personnel system. To this end he shall consult regularly with the Secretary of State.

(g) In exercising functions under the Act arising from later-enacted amendments to any law specified in subsection (a) of this section that relate directly to matters of foreign policy, the Director shall consult with the Secretary of State to determine whether such function should more appropriately be exercised by the Secretary or reserved to the President.

1-103. *Agency for International Development.*

(a) The Director shall continue within IDCA the Agency for International Development, heretofore established in the Department of State.

(b) The Agency for International Development shall be headed by an Administrator appointed pursuant to section 624(a) of the Act.

(c) The officers provided for in section 624(a) of the Act shall serve in the Agency for International Development.

1-104. *Office of Small Business.* The Office of Small Business provided for in section 602(b) of the Act shall be in the Agency for International Development.

1-2. DEPARTMENT OF STATE

1-201. *Delegation of Functions.* (a) Subject to the provisions of this order, there are hereby delegated to the Secretary of State (hereafter in this Part referred to as the "Secretary") all functions conferred upon the President by:

(1) sections 239(g), 301(a), 301(b), 301(c), 301(e)(1), 301(e)(3), 302(a)(1) as it relates to the Presidential certification concerning the United Nations Relief and Works Agency, 302(a)(3), 305, 481, and 502B of the Act;

(2) section 495F of the Act, insofar as they relate to policy decisions pertaining to refugee programs under such section;

(3) sections 504(a), 505(a) relating to other provisions required by the President, and 505 (d), (e), and (g) of the Act;

(4) sections 505(a) (1) and (4) of the Act relating to consent;

(5) section 505(b) of the Act to the extent that it pertains to countries that agree to the conditions set forth therein;

(6) chapter 4 of Part II of the Act, insofar as they relate to policy decisions and justifications for economic support programs under such chapter, including determinations of whether there will be an economic support program for a country and the amount of the program for each country. Such functions shall be exercised in cooperation with the Director.

(7) section 533(b) of the Act;

(8) chapter 6 of part II of the Act;

(9) section 601(b)(3), (4), and (6) of the Act;

(10) section 614(b) of the Act, except that the function of determining which provisions of law should be disregarded to achieve the purpose of the provision is reserved to the President;

(11) section 620(b), (c), (e), (f), (g), (i), (j), (q), and (s) of the Act;

(12) section 620C(d) of the Act;

(13) section 625(d) of the Act, insofar as it relates to personnel in the Department of State;

(14) section 625(k)(1) of the Act;

(15) section 634B of the Act, insofar as it relates to functions delegated to the Secretary under this order;

(16) section 617 and 653 of the Act, insofar as they relate to chapter 8 of part I and part II of the Act (other than chapter 4 thereof);

(17) section 657 and 668 of the Act;

(18) other provisions of the Act that relate directly and necessarily to the conduct of programs and activities vested in or delegated to the Secretary;

(19) the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611 *et seq.*);

(20) section 8(d) of the Act of January 12, 1971 (22 U.S.C. 2321b (d)); and

(21) section 607 of the International Security Assistance and Arms Export Control Act of 1976 (22 U.S.C. 2394a).

(b) The functions under sections 239(g), 620(e), 620(g), 620(i), 620(j), 620(q), 620(s), and 625(k)(1) of the Act delegated to the Secretary shall be exercised in consultation with the Director.

(c) The functions under section 653 of the Act delegated to the Secretary shall be exercised in consultation with the Secretary of Defense, insofar as they relate to functions under the Act administered by the Department of Defense, and the Director of the Office of Management and Budget.

(d) The Secretary may redelegate to the Director or to any other officer or agency of the Executive branch functions delegated to the Secretary by this order.

1-3. DEPARTMENT OF DEFENSE

1-301. *Delegation of Functions.* Subject to the provisions of this order, there are hereby delegated to the Secretary of Defense:

(a) The functions conferred upon the president by Part II (except chapters 4 and 6 thereof) of the Act not otherwise delegated or reserved to the President.

(b) To the extent that they relate to other functions under the Act administered by the Department of Defense, the functions conferred upon the President by sections 602(a), 605(a), 625(a), 625(d)(1), 625(h), 627, 628, 630(3), 631(a), 634B, 635(b) (except with respect to negotiation, conclusion, and termination of international agreements), 635(d), and 635(g) of the Act.

(c) Those functions under section 634A of the Act, to the extent they relate to notifications to the Congress concerning changes in programs under part II of the Act (except chapters 4 and 6 thereof), subject to prior consultation with the Secretary of State.

(d) The functions under sections 627, 628, and 630(3) of the Act delegated to the Secretary of Defense shall be exercised in consultation with the Secretary of State.

1-302. *Reports and Information.* In carrying out the functions under section 514 of the Act delegated to him by section 301 of this order, the Secretary of Defense shall consult with the Secretary of State.

1-4. INSTITUTE FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION

1-401. *Establishment of Institute for Scientific and Technological Cooperation.* There is established within IDCA the Institute for Scientific and Technological Cooperation (hereinafter referred to as the Institute).

1-402. *Establishment of the Council on International Scientific and Technological Cooperation.* There is established the Council on International Scientific and Technological Cooperation pursuant to section 407(a) of the IDC Act of 1979.

1-403. There are hereby established two additional positions in the Institute pursuant to section 406(c) of the IDC Act of 1979. The officers appointed to these positions shall perform such duties and exercise such powers as the Director of the Institute may prescribe.

1-5. OTHER AGENCIES

1-501. *Department of the Treasury.* (a) There are delegated to the Secretary of the Treasury the functions conferred upon the President by:

(1) section 301(e)(3) of the Act as it relates to organizations referred to in section 301(e)(2) of the Act;

(2) section 305, insofar as it relates to the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, the African Development Fund, and the International Monetary Fund;

(3) the second sentence of section 612(a) of the Act; and

(4) section 502 of the Mutual Security Act of 1954 (22 U.S.C. 1754).

(b) The Secretary of the Treasury shall continue to administer any open special foreign country accounts established pursuant to former section 514 of the Act as enacted by section 201(f) of Public Law 92-226 (86 Stat. 25) and repealed by Section 12(b)(5) of Public Law 93-189 (87 Stat. 722).

(c) The functions under section 305 of the Act delegated to the Secretary of the Treasury shall be exercised in consultation with the Director, as provided in Executive Order No. 11269 of February 14, 1966, as amended.

1-502. *Department of Commerce.* There is hereby delegated to the Secretary of Commerce so much of the functions conferred upon the President by section 601(b)(1) of the Act as consists of drawing the attention of private enterprise to opportunities for investment and development in less developed friendly countries and areas.

1-503. *Office of Personnel Management.* There is hereby delegated to the Director of the Office of Personnel Management the function of prescribing regulations conferred upon the President by the proviso contained in section 625(b) of the Act.

1-504. *International Communication Agency.* The International Communication Agency shall perform all public information functions abroad with respect to the foreign assistance, aid, and development programs of the United States Government.

1-505. *Development Loan Committee.* There is hereby established a Development Loan Committee in accordance with section 122(e) of the Act which shall consist of the Director of IDCA, who shall be Chair, the Administrator of the Agency for International Development, the Chairman of the Board of Directors of the Export-Import Bank of the United States, the Assistant Secretary of State for Economic Affairs, the Assistant Secretary of the Treasury dealing with international finance, the Assistant Secretary of Commerce for Industry and Trade, and the officer of the Agency for International Development dealing with development financing.

1-506. *Development Coordination Committee.* (a) In accordance with section 640B of the Act, there is hereby established a Development Coordination Committee (hereinafter referred to as the Committee). The Committee shall consist of the Director of IDCA, who shall be Chair; the Administrator of the Agency for International Development, the Director of the Institute for Scientific and Technological Cooperation; the Under Secretary of State for Economic Affairs; the Under Secretary of the Treasury for Monetary Affairs; the Under Secretary of Commerce; the Under Secretary of Agriculture; the Under Secretary of Labor; the Under Secretary of Energy; a Deputy Special Representative for Trade Negotiations; an Associate Director of the Office of Management and Budget; a representative of the Assistant to the President for National Security Affairs; the President of the Export-Import Bank of the United States; and the President of the Overseas Private Investment Corporation.

(b) Whenever matters within the jurisdiction of the Committee may be of interest to Federal agencies not represented on the Committee under subsection (a) of this section, the Chair of the Committee may consult with such agencies and may invite them to designate representatives to participate in meetings and deliberations of the Committee.

(c) The Chair of the Committee may establish subcommittees of the Committee and designate the chairs thereof.

(d) Subject to the foreign policy guidance of the Secretary of State, the Committee shall advise the President with respect to coordination of United States policy and programs affecting the development of developing countries, including programs of bilateral and multilateral development assistance.

(e) All agencies and officers of the Government shall keep the Committee informed in necessary detail as to the policies, programs and activities referred to in subsection (d) of this section.

(f) Nothing herein shall be deemed to derogate from the responsibilities of the Secretary of State or the Secretary of the Treasury, or from responsibilities vested elsewhere by law or other Executive orders.

1-6. ADDITIONAL DELEGATIONS AND LIMITATIONS OF AUTHORITY; CONSULTATION

1-601. *General Delegation of Functions.* There are hereby delegated to the heads of agencies having responsibilities for carrying out the provisions of the Act all functions conferred upon the President by:

(a) section 654 (except as reserved to the President); and

(b) those provisions of acts appropriating funds under the authority of the Act that relate to the Act, or other acts authorizing such funds, insofar as they relate to the functions delegated by this order.

1-602. *Personnel.* (a) In carrying out the functions conferred upon the President by the provisions of section 625(d)(1) of the Act, and by this order delegated to the Director of IDCA, the Director shall authorize such of the agencies that administer programs under the Act as he may deem appropriate to perform any of the functions under section 625(d)(1) of the Act to the extent that the said functions relate to the programs administered by the respective agencies.

(b) Persons appointed, employed, or assigned after May 19, 1959, under section 527(c) of the Mutual Security Act of 1954 or section 625(d) of the Act for the purpose of performing functions under such Acts outside the United States shall not, unless otherwise agreed by the agency in which such benefits may be exercised, be entitled to the benefits provided by section 528 of the Foreign Service Act of 1946 in cases in which their service under the appointment, employment, or assignment exceeds thirty months.

1-603. *Special Missions and Staffs Abroad.* The maintenance of special missions or staffs abroad, the fixing of the ranks of the chiefs thereof after the chiefs of the United States diplomatic missions, and the authorization of the same compensation and allowances as the chief of mission, class 3 and class 4, within the meaning of the Foreign Service Act of 1946 (22 U.S.C. 801 *et seq.*), all under section 631 of the Act, shall be subject to the approval of the Secretary of State.

1-604. *International Agreements.* The negotiation, conclusion, and termination of international agreements pursuant to the Act, title IV of the IDC Act of 1979, or section 402 of the Mutual Security Act of 1954 shall be subject to the requirements of 1 U.S.C. 112b and to applicable regulations and procedures.

1-605. *Interagency Consultation.* Each officer to whom functions are delegated by this order, shall, in carrying out such functions, consult with the heads of other departments and agencies, including the Director of the Office of Management and Budget, on matters pertaining to the responsibilities of departments and agencies other than his or her own.

1-7. RESERVED FUNCTIONS

1-701. *Reservation of Functions to the President.* There are hereby excluded from the functions delegated by the foregoing provisions of this order:

(a) The functions conferred upon the President by sections 122(e), 298(a), 451, 504(b), 613(a), 614(a), 620(a), 620(d), 620(x), 620A, 620C(c), 621(a), 622(b), 622(c), 633(a), 633(b), 640B, 662(a), and 663(b) of the Act.

(b) The functions conferred upon the President by sections 402, 405(a), 406 and 407 of the IDC Act of 1979.

(c) The functions conferred upon the President by the Act and section 408(b) of the Mutual Security Act of 1954 with respect to the appointment of officers required to be appointed by and with the advice and consent of the Senate and with respect to the appointment of officers pursuant to sections 233(b) and 624(c) of the Act.

(d) The functions conferred upon the President with respect to determinations, certifications, directives, or transfers of funds, as the case may be, by sections 303, 481(a), 505(d)(2)(A), 505(d)(3), 506(a), 515(f), 604(a), 610, 614(c), 632(b), 633A, 659, 663(a), 669(b)(1) and 670(b)(1) of the Act.

(e) The following-described functions conferred upon the President:

(1) Those under section 503(a) that relate to findings: *Provided*, that the Secretary of State, in the implementation of the functions delegated to him under section 505(a)(1), (a)(4), and (e) of the Act, is authorized to find, in the case of a proposed transfer of a defense article or related training or a related defense service by a foreign country or international organization to a foreign country or international organization not otherwise eligible under section 503(a) of the Act, whether the proposed transfer will strengthen the security of the United States and promote world peace.

(2) Those under section 505(b) in respect of countries that do not agree to the conditions set forth therein.

(3) That under section 614(b) with respect to determining any provisions of law to be disregarded to achieve the purpose of that section.

(4) That under the second sentence of section 654(c) with respect to the publication in the *Federal Register* of any findings or determination reserved to the President: *Provided*, that any officer to whom there is delegated the function of making any finding or determination within the purview of section 654(a) is also authorized to reach the conclusion specified in performance of the function delegated to him.

(f) Those with respect to determinations under sections 103(b) (first proviso), 104, and 203 of the Mutual Defense Assistance Control Act of 1951 (22 U.S.C. 1611b(b), 1611c, and 1612b).

(g) That under section 523(d) of the Mutual Security Act of 1954 (22 U.S.C. 1783(d)).

(h) Those under section 607 of the Foreign Assistance and Related Programs Appropriations Act, 1979 (92 Stat. 1591, 1601), with respect to findings.

1-702. *Subsequent Amendments.* Functions conferred upon the President by subsequent amendments to the Act are delegated to the Director only insofar as they do not relate directly and necessarily to the conduct of programs and activities that either the President or an agency other than IDCA is authorized to administer pursuant to express reservation or delegation of authorities in a statute or in this or another Executive order.

1-8. FUNDS

1-801. *Allocation of Funds.* Funds appropriated or otherwise made available to the President for carrying out the Act shall be deemed to be allocated without any further action of the President, as follows:

(a) There are allocated to the Director (1) all funds made available for carrying out the Act except those made available for carrying out Part II of the Act (other than chapter 4 thereof), section 481 of the Act, and section 637(b) of the Act, and (2) all funds made available for carrying out title IV of the IDC Act of 1979.

(b) There are allocated to the Secretary of Defense funds made available for carrying out Part II of the Act (except chapters 4 and 6 thereof).

(c) There are allocated to the Secretary of State funds made available for carrying out sections 481 and 637(b) and chapter 6 of Part II of the Act.

1-802. *Reallocation of Funds.* The Director of IDCA, the Secretary of Defense, and the Secretary of State may allocate or transfer as appropriate any funds received under subsections (a), (b), and (c), respectively of section 1-801 of this order, to any agency or part thereof for obligation or expenditure thereby consistent with applicable law.

1-9. GENERAL PROVISIONS

1-901. *Definition.* As used in this order, the word "function" includes any duty, obligation, power, authority, responsibility, right, privilege, discretion, or activity.

1-902. *References to Orders and Acts.* Except as may for any reason be inappropriate:

(a) References in this order or in any other Executive order to (1) the Foreign Assistance Act of 1961 (including references herein to "the Act"), (2) unrevoked provisions of the Mutual Security Act of 1954, or (3) any other act that relates to the subject of this order shall be deemed to include references to any subsequent amendments thereto.

(b) References in any prior Executive order to the Mutual Security Act of 1954 or any provisions thereof shall be deemed to be references to the Act or the corresponding provision, if any, thereof.

(c) References in this order to provisions of any appropriation Act, and references in any other Executive order to provisions of any appropriation Act related to the subject of this order shall be deemed to include references to any hereafter-enacted provisions of law that are the same or substantially the same as such appropriation Act provisions, respectively.

(d) References in this order or in any other Executive order to this order or to any provision thereof shall be deemed to include references thereto, respectively, as amended from time to time.

(e) References in any prior Executive order not superseded by this order to any provisions of any Executive order so superseded shall hereafter be deemed to be references to the corresponding provisions, if any, of this order.

1-903. *Prior Executive Orders.* (a) The following are revoked:

- (1) Executive Order No. 10973 of November 3, 1961, as amended;
- (2) section 2(a) of Executive Order No. 11579 of January 19, 1971; and
- (3) Executive Order No. 10893 of November 8, 1960.

(b) The following are amended:

(1) section 3(a) of Executive Order No. 11846 of March 27, 1975, as amended, by adding the following new paragraph (12) after paragraph (11):

"(12) The Director of the United States International Development Cooperation Agency";

(2) section 1-202 of Executive Order 12065 of June 28, 1978, by striking out "The Administrator, Agency for International Development" and inserting in lieu thereof "The Director of the United States International Development Cooperation Agency";

(3) section 2(a) of Executive Order No. 11958 of January 18, 1977, by striking out "the Administrator of the Agency for International Development" and inserting in lieu thereof "the Director of the United States International Development Cooperation Agency";

(4) section 3 of Executive Order 10900 of January 5, 1961, by adding thereto the following new subsection:

"(d) The Secretary of State may redelegate to the Director of the United States International Development Cooperation Agency, or to any other officer or agency of the Executive branch, functions delegated to such Secretary by this order.";

(5) section 4 of Executive Order 11223 of May 12, 1965, by inserting immediately following "the Secretary of State" the words "or the Director of the United States International Development Cooperation Agency (with respect to functions vested in or delegated to the Director)"; and

(6) the President's memorandum of October 18, 1961, entitled "Determination Under Section 604(a) of the Foreign Assistance Act of 1961" (26 FR 10543) is amended by inserting after "the Secretary of State" each time it appears in such memorandum the words "or the Director of the United States International Development Cooperation Agency (with respect to non-military programs administered by such Agency)".

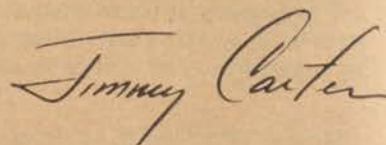
(c) Any reference in any other Executive order to the Agency for International Development or the Administrator thereof shall be deemed to refer also to the International Development Cooperation Agency or the Director thereof, respectively.

(d) As authorized by section 403(c) of the IDC Act of 1979, the reference in Executive Order No. 11223 of May 12, 1965 to "the performance of functions authorized by this Act" shall be deemed to include the performance of functions authorized by section 403 of the IDC Act of 1979.

1-904. *Saving Provisions.* Except to the extent inconsistent with this order, all delegations of authority, determinations, authorizations, regulations, rulings, certificates, orders, directives, contracts, agreements, and other actions made, issued, or entered into with respect to any function affected by this order and not revoked, superseded, or otherwise made inapplicable before the date of this order, shall continue in full force and effect until amended, modified, or terminated by appropriate authority.

1-905. *Effective Date.* The provisions of this order shall become effective as of October 1, 1979.

THE WHITE HOUSE,
September 29, 1979.



[FR Doc. 79-30716

Filed 10-1-79; 11:34 am]

Billing code 3195-01-M

Presidential Documents

Executive Order 12164 of September 29, 1979

Multilateral Development Institutions

By the authority vested in me as President of the United States of America by the Bretton Woods Agreements Act, the International Finance Corporation Act, the Inter-American Development Bank Act, the International Development Association Act, the Asian Development Bank Act, Public Law 95-118, Reorganization Plan No. 2 of 1979, and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

1-101. Executive Order No. 11269, as amended, is further amended in Section 1(b) by adding "the Director of the International Development Cooperation Agency," after "the Chairman of the Board of Governors of the Federal Reserve System,".

1-102. Executive Order No. 11269, as amended, is further amended as follows:

(a) In Section 3(a)(1) insert ", subject to the provisions of Section 7 of this Order," after "Authority".

(b) Add at the end of Section 3(a)(2) the following new sentence: "Such authority, insofar as it relates to the development aspects of the policies, programs, or projects of the International Bank for Reconstruction and Development shall be exercised subject to the provisions of Section 7 of this Order."

(c) In Section 3(e), add ", subject to the provisions of Section 7 of this Order" before the period.

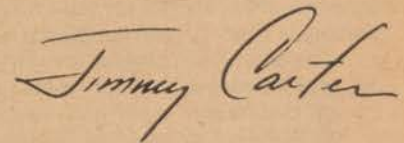
1-103. Executive Order No. 11269, as amended, is further amended in Section 4(a)(2) by adding: ", the Director of the International Development Cooperation Agency," after "the Council" each time it appears.

1-104. Executive Order No. 11269, as amended, is further amended by adding the following new Section 7:

"Section 7. Functions of the Director of the International Development Cooperation Agency. As the principal international development advisor to the President, the Director of the International Development Cooperation Agency shall advise both the Secretary of the Treasury and the appropriate United States representatives to the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the Asian Development Bank, and the African Development Fund on the development aspects of matters relating to those institutions and their activities."

1-105. This Order shall be effective as of October 1, 1979.

THE WHITE HOUSE,
September 29, 1979.



MEMORANDUM FOR THE RECORD

DATE: 10/10/1944

TO: THE SECRETARY OF THE ARMY

FROM: THE CHIEF OF THE BUREAU OF MILITARY AFFAIRS

SUBJECT: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

4. [Illegible]

5. [Illegible]

6. [Illegible]

7. [Illegible]

8. [Illegible]

9. [Illegible]

10. [Illegible]

Rules and Regulations

Federal Register

Vol. 44, No. 192

Tuesday, October 2, 1979

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 353

Restoration To Duty

AGENCY: Office of Personnel Management.

ACTION: Final regulation.

SUMMARY: This amendment to the Office of Personnel Management's regulations governing the restoration to duty of compensably injured employees deletes the 1-year requirement during which agencies are required to "make every effort" to restore partially recovered employees. Henceforth, agencies will be required to consider partially recovered employees or former employees, without time limit just as they are now required to consider without time limit those who fully recover from a job-related injury. This document is in furtherance of the President's budget message to Congress on the restoration to duty of injured employees and the intent of Congress in its enactment of the Rehabilitation Act of 1973, and the Injury Compensation Amendments of 1974.

EFFECTIVE DATE: October 2, 1979.

FOR FURTHER INFORMATION CONTACT: Raleigh M. Neville, Office of Policy Analysis and Development, Office of Personnel Management, Room 6526, 1900 E Street, NW., Washington, D.C. 20415, (202) 632-6817.

SUPPLEMENTARY INFORMATION: On June 19, 1979, the Office of Personnel Management published this proposed amendment to § 353.306 of its regulations and invited comments from the public (44 FR 35230). Written comments were received from six agencies, unions, and individuals. Most were very supportive of the proposal. Only one agency questioned whether partially recovered employees should be

considered for reemployment without time limit. However, since the concept of reemployment for job-incurred disabilities is in furtherance of administration and congressional policy, a requirement to consider without time limit partially recovered individuals seems appropriate and should not be particularly burdensome to agencies. Guidance on providing such consideration will be published in the Federal Personnel Manual to supplement the regulation.

The Director of OPM finds that good cause exists for suspending the 30-day delay of effectiveness of final regulations required by 5 U.S.C. 553(d).

Office of Personnel Management.

Beverly M. Jones,

Issuance System Manager.

Accordingly, § 353.306 of Part 353, Title 5, Code of Federal Regulations, is amended to read as follows:

§ 353.306. Partially recovered injured employees.

Agencies must make every effort to restore, according to the circumstances in each case, an employee or former employee who has partially recovered from a compensable injury and who is able to return to limited duty.

(38 U.S.C. 2021, et seq., and 5 U.S.C. 8151.)

[FR Doc. 79-30459 Filed 10-1-79; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 929

Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York: Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation authorizes expenses and a rate of assessment for the 1979-80 fiscal period, to be collected from handlers to support activities of the Cranberry Marketing Committee which locally administers the Federal marketing order covering cranberries.

DATES: Effective September 1, 1979, through August 31, 1980.

FOR FURTHER INFORMATION CONTACT: Malvin E. McGaha, (202) 447-5975.

SUPPLEMENTARY INFORMATION: *Findings.* This document is issued under Marketing Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in certain specified States. The marketing order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). This action is based upon the recommendations and information submitted by the Cranberry Marketing Committee, and upon other information. It is hereby found that the expenses and rate of assessment, as hereafter provided, will tend to effectuate the declared policy of the act.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the *Federal Register* (5 U.S.C. 553), as the order requires that the rate of assessment for a particular fiscal year shall apply to all assessable cranberries handled from the beginning of such year which began September 1, 1979. To enable the committee to meet fiscal obligations which are now accruing, approval of the expenses and assessment rate is necessary without delay. Handlers and other interested persons were given an opportunity to submit information and views on the expenses and assessment rate at an open meeting of the committee. It is necessary to effectuate the declared purpose of the act to make these provisions effective as specified.

Further, in accordance with procedures in Executive Order 12044, the emergency nature of this regulation warrants publication without opportunity for further public comment. The regulation has not been classified significant under USDA criteria for implementing the Executive Order. An Impact Analysis is available from Malvin E. McGaha, 202-447-5975.

§ 929.220 Expenses and rate of assessment.

(a) Expenses that are reasonable and likely to be incurred by the Cranberry Marketing Committee during the period September 1, 1979, through August 31, 1980, will amount to \$87,640.