

# TITLE 5—GOVERNMENT ORGANIZATION AND EMPLOYEES

*This title was enacted by Pub. L. 89-554, §1, Sept. 6, 1966, 80 Stat. 378*

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### AMENDMENTS

1979—Pub. L. 96-54, §2(a)(1), Aug. 14, 1979, 93 Stat. 381, substituted “Civil Service Functions and Responsibilities” for “The United States Civil Service Commission” in item for part II.

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## ENACTING CLAUSE

Section 1 of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378, provided in part: "That the laws relating to the organization of the Government of the United States and to its civilian officers and employees, generally, are revised, codified, and enacted as title 5 of the United States Code, entitled 'Government Organization and Employees', and may be cited as '5 U.S.C., § \_\_\_\_\_'."

## LEGISLATIVE PURPOSE: INCONSISTENT PROVISIONS

Section 7(a) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: "The legislative purpose in enacting sections 1-6 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act [Sept. 6, 1966]. Laws effective after June 30, 1965, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency."

## REFERENCES TO OTHER LAWS

Section 7(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: "A reference to a law replaced by sections 1-6 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act."

## OUTSTANDING ORDERS, RULES AND REGULATIONS

Section 7(c) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: "An order, rule, or regulation in effect under a law replaced by sections 1-6 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded."

## SAVINGS PROVISION

Section 7(d) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: "An action taken or an offense committed under a law replaced by sections 1-6 of this Act

is deemed to have been taken or committed under the corresponding provision enacted by this Act.”

LEGISLATIVE CONSTRUCTION

Section 7(e) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: “An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.”

PAY, ALLOWANCES, COMPENSATION, OR ANNUITY

Section 7(f) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: “The enactment of this Act does not increase or decrease the pay, allowances, compensation, or annuity of any person.”

SEPARABILITY

Section 7(g) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 631, provided that: “If a provision enacted by this Act is held invalid, all valid provisions that are separable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications.”

APPLICABILITY TO COMMISSIONED OFFICERS OF PUBLIC HEALTH SERVICE AND COAST AND GEODETIC SURVEY

Section 7(h) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 632, provided that: “Sections 1-6 of this Act shall be construed to apply to commissioned officers of the Public Health Service and commissioned officers of the Coast and Geodetic Survey [now the National Oceanic and Atmospheric Administration] to the same extent that the laws replaced by those sections applied to these officers immediately before the date of enactment of this Act [Sept. 6, 1966].”

REPEALS

Section 8(a) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 632, repealed the sections or parts thereof of the Revised Statutes or Statutes at Large codified in this title, except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun, before Sept. 6, 1966, and except as provided by section 7 of Pub. L. 89-554.

Section 8(c) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 632, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

CONTINUATION OF RIGHT TO DEFERRED ANNUITY

Section 8(b) of Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 632, provided that: “The right to a deferred annuity on satisfaction of the conditions attached thereto is continued notwithstanding the repeal of the law conferring the right.”

IMPROVEMENT OF UNITED STATES CODE BY PUB. L. 90-83; LEGISLATIVE PURPOSE; INCONSISTENT PROVISIONS; CORRESPONDING PROVISIONS; SAVINGS AND SEPARABILITY OF PROVISIONS

Section 9(a)-(g) of Pub. L. 90-83, Sept. 11, 1967, 81 Stat. 222, provided that:

“(a) The legislative purpose in enacting sections 1-8 of this Act is to restate, without substantive change, the laws replaced by those sections on the effective date of this Act. Laws effective after February 21, 1967, that are inconsistent with this Act are considered as superseding it to the extent of the inconsistency.

“(b) A reference to a law replaced by sections 1-8 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) An order, rule, or regulation in effect under a law replaced by sections 1-8 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) An action taken or an offense committed under a law replaced by sections 1-8 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

“(f) The enactment of this Act does not increase or decrease the pay, allowances, compensation, or annuity of any person.

“(g) If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision of this Act is held invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid application or applications.”

PART I—THE AGENCIES GENERALLY

Table with 2 columns: Chap. and Sec. listing sections 1 through 9: Organization, Powers, Administrative Procedure, The Analysis of Regulatory Functions, Judicial Review, Congressional Review of Agency Rulemaking, Executive Reorganization.

AMENDMENTS

1996—Pub. L. 104-121, title II, § 253, Mar. 29, 1996, 110 Stat. 874, added item for chapter 8.

CHAPTER 1—ORGANIZATION

Table with 2 columns: Sec. and description: 101. Executive departments, 102. Military departments, 103. Government corporation, 104. Independent establishment, 105. Executive agency.

§ 101. Executive departments

The Executive departments are:

- The Department of State.
The Department of the Treasury.
The Department of Defense.
The Department of Justice.
The Department of the Interior.
The Department of Agriculture.
The Department of Commerce.
The Department of Labor.
The Department of Health and Human Services.
The Department of Housing and Urban Development.
The Department of Transportation.
The Department of Energy.
The Department of Education.
The Department of Veterans Affairs.
The Department of Homeland Security.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378; Pub. L. 89-670, §10(b), Oct. 15, 1966, 80 Stat. 948; Pub. L. 91-375, §6(c)(1), Aug. 12, 1970, 84 Stat. 775; Pub. L. 95-91, title VII, §710(a), Aug. 4, 1977, 91 Stat. 609;

1 Pub. L. 90-83 added section 500 to chapter 5 without making a corresponding change in Part analysis.

2 Editorially supplied. Chapter 6 added by Pub. L. 96-354 without a corresponding amendment of Part analysis.