Incidental expenses, such sums as Congress may provide from time to time (Mar. 4, 1913, ch. 141, § 6, 37 Stat. 737.)

Transfer of Functions

All functions of all other officers of the Department of Labor and all functions of all agencies and employees of the Department were, with the exception of the functions vested by the Administrative Procedure Act (section 1001 et seq. of this title) in hearing examiners employed by the Department, transferred to the Secretary of Labor, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 6, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. 1263, set out in note under section 611 of this title.

§ 618. Rented quarters.

Where any office, bureau, or branch of the public service transferred to the Department of Labor is occupying rented buildings or premises, it may continue to do so until other suitable quarters are provided for its use (Mar. 4, 1913, ch. 141, § 6, 37 Stat. 738.)

Transfer of Functions

All functions of all other officers of the Department of Labor and all functions of all agencies and employees of the Department were, with the exception of the functions vested by the Administrative Procedure Act (section 1001 et seq. of this title) in hearing examiners employed by the Department, transferred to the Secretary of Labor, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 6, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. 1263, set out in note under section 611 of this title.

Cross References

Lease of buildings to Government, see section 278a of Title 40, Public Buildings, Property, and Works.

§ 619. Mediation of labor disputes; duties, powers, etc., transferred to Department.

Constitution

Section, act Mar. 4, 1913, ch. 141, § 8, 37 Stat. 735, was omitted from the Code, as all powers and functions vested in the Secretary of Labor were transferred to the Federal Mediation and Conciliation Service, an independent agency, by section 172 of Title 29, Labor.

§ 620. Reports and investigations.

The Secretary of Labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations, and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary. (Mar. 4, 1913, ch. 141, § 9, 37 Stat. 738.)

§ 621. Same; records and papers and furniture transferred to Department.

The official records and papers on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service transferred to the Department of Labor, together with the furniture in use in such bureau, office, department, or branch of the public service, are transferred to the Department of Labor (Mar 4 1913 ch. 141, § 5, 37 Stat. 737.)

§ 622. Same; laws operative. All laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service transferred to and made a part of the Department of Labor shall, so far as the same are not in conflict with the provisions of this chapter, remain in full force and effect, to be executed under the direction of the Secretary of Labor (Mar. 4 1913, ch. 141, § 6, 37 Stat. 738.)

References in Text

Word "chapter" is translation of word "Act", meaning act Mar. 4, 1913, which is classified in part to this chapter and to sections in other titles. For complete distribution see Tables.

Transfer of Functions

All functions of all other officers of the Department of Labor and all functions of all agencies and employees of the Department were, with the exception of the functions vested by the Administrative Procedure Act (section 1001 et seq. of this title) in hearing examiners employed by the Department, transferred to the Secretary of Labor, with power vested in him to authorize their performance or the performance of any of his functions by any of such officers, agencies, and employees, by 1950 Reorg. Plan No. 6, §§ 1, 2, eff. May 24, 1950, 15 F. R. 3174, 64 Stat. 1263, set out in note under section 611 of this title.

§ 622a. Working capital fund; establishment; availability; capitalization; reimbursement.

There is established a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of (1) a central reproduction service; (2) a central visual exhibit service; (3) a central supply service for supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department; (4) a central tabulating service; (5) telephone, mail and messenger services; (6) a central accounting and payroll service; and (7) a central laborers' service: Provided, That any stocks of supplies and equipment on hand or on order shall be used to capitalize such fund: Provided further, That such fund shall be reimbursed in advance from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment. (Pub. L. 85–67, title I, § 101, June 29, 1957, 71 Stat. 210; Pub. L. 86–703, title I, § 101, Sept. 2, 1960, 74 Stat. 755.)

Amendments

1960—Pub. L. 86–703 made the fund available for the maintenance and operation of a central tabulating service, a central accounting and payroll service, and a central laborers' service.

Chapter 11A.—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Sec.

623. Establishment of Department; effective date.

623a. Motor vehicle transfers between bureaus and offices.

623b. General Counsel; appointment; compensation; chief legal officer; duties.

623c. General Counsel; appointment.

623d. Seal.

623e. Transfer of personnel and household goods; delegation of Secretary's authority.

623f. Travel and subsistence expenses of officers and employees in connection with attendance at meetings or in performing advisory services.

623g. Assistant Secretary for Administration; appointment and duties.
§ 623. Establishment of Department; effective date.

The provisions of Reorganization Plan Numbered 1 of 1953, submitted to the Congress on March 12, 1953, shall take effect ten days after the date of the enactment of this section, and its approval by the President, notwithstanding the provisions of the Reorganization Act of 1949, as amended, except that section 133z-7 of this title shall apply to such reorganization plan and to the reorganization made thereby. (Apr. 1, 1953, ch. 14, 67 Stat. 18.)

REFERENCES IN TEXT
Reorganization Plan Numbered 1 of 1953, referred to in the text, which created a Department of Health, Education, and Welfare, is set out as a note under this section.

The Reorganization Act of 1949, as amended, referred to in the text, is classified to sections 133z to 133z-15 of this title.

Compensation of Secretary, Under Secretary and Assistant Secretaries
Compensation, see Federal Executive Salary Schedule, section 2210 et seq. of this title.

EMERGENCY PREPAREDNESS FUNCTIONS
Ex. Ord. No. 11001, Feb. 16, 1962, 27 F.R. 1354, directed the Secretary of Health, Education, and Welfare to prepare national emergency plans and develop preparedness programs covering health services, civilian health manpower, health resources, welfare services, and educational programs, aimed at developing a state of readiness in these areas with respect to all conditions of national emergency including attack upon the United States.

REORGANIZATION PLAN NO. 1 OF 1953
Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 12, 1953, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended [sections 133z to 133z-15 of this title].

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

§ 1. Creation of Department: Secretary

There is hereby established an executive department, which shall be known as the Department of Health, Education, and Welfare (hereafter in this reorganization plan referred to as the Department). There shall be at the head of the Department a Secretary of Health, Education, and Welfare (hereafter in this reorganization plan referred to as the Secretary), who shall be appointed by the President by and with the advice and consent of the Senate, and who shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments. The Department shall be administered under the supervision and direction of the Secretary.

§ 2. Under Secretary and Assistant Secretaries

There shall be in the Department an Under Secretary of Health, Education, and Welfare and two Assistant Secretaries of Health, Education, and Welfare, each of whom shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions as the Secretary may prescribe, and shall receive compensation at the rate now or hereafter provided by law for under secretaries and assistant secretaries, respectively, of executive departments. The Under Secretary (or, during the absence or disability of the Under Secretary or in the event of a vacancy in the office of Under Secretary, an Assistant Secretary determined according to such order as the Secretary shall prescribe) shall act as Secretary during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary.

§ 3. Special Assistant

There shall be in the Department a Special Assistant to the Secretary (Health and Medical Affairs) who shall be appointed by the President by and with the advice and consent of the Senate from among persons who are recognized leaders in the medical field with wide non-governmental experience, shall review the health and medical programs of the Department and advise the Secretary with respect to the improvement of such programs and with respect to necessary legislation in the health and medical fields.

§ 4. Commissioner of Social Security

There shall be in the Department a Commissioner of Social Security who shall be appointed by the President by and with the advice and consent of the Senate, shall perform such functions concerning social security and public welfare as the Secretary may prescribe, and shall receive compensation at the rate now or hereafter prescribed by law for grade GS-18 of the general schedule established by the Classification Act of 1949, as amended [sections 1111—1115 of this title].

§ 5. Transfers to the Department

All functions of the Federal Security Administrator are hereby transferred to the Secretary. All agencies of the Federal Security Agency, together with their respective functions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available), and all other functions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) of the Federal Security Agency are hereby transferred to the Department.

§ 6. Performance of Functions of the Secretary

The Secretary may from time to time make such provisions as the Secretary deems appropriate authorizing the performance of any of the functions of the Secretary by any other officer, or by any agency or employee, of the Department.

§ 7. Administrative Services

In the interest of economy and efficiency the Secretary may from time to time establish central administrative services in the fields of procurement, budgeting, accounting, personnel, library, legal, and other services and activities common to the several agencies of the Department; and the Secretary may effect such transfers within the Department of the personnel employed, the property and records used or held, and the funds available for use in connection with such administrative-service activities as the Secretary may deem necessary for the conduct of any services so established: Provided, That no professional or substantive function vested by law in any officer shall be removed from the jurisdiction of such officer under this section.

§ 8. Abolitions

The Federal Security Agency (exclusive of the agencies thereof transferred by sec. 5 of this reorganization plan), the offices of Federal Security Administrator and Assistant Federal Security Administrator created by Reorganization Plan No. 2 of 1946 (60 Stat. 1056) [set out as note under section 801 of this title], the two offices of assistant heads of the Federal Security Agency created by Reorganization Plan No. 2 of 1946 (60 Stat. 1056) [formerly section 801 of Title 42], are hereby abolished. The Secretary shall make such provisions as may be necessary in order to wind up any outstanding affairs of the Agency and offices abolished by this section which are not otherwise provided for in this reorganization plan.


The President may authorize the persons who immediately prior to the time this reorganization plan takes effect occupy the offices of Federal Security Administrator, Assistant Federal Security Administrator, assistant heads of the Federal Security Agency, and Commissioner for Social Security to act as Secretary, Under Secretary, and Assistant Secretaries of Health, Education, and Welfare and as Commissioner of Social Security, respectively, until those offices are filled by appointment in the manner provided by sections 1, 2, and 4 of this reorganization plan, but not for a period of more than 60 days. While so acting, such persons shall receive compensation at the
§ 623a. Motor vehicle transfers between bureaus and offices.

The Secretary is authorized to make such transfers of motor vehicles, between bureaus and offices, without transfer of funds, as may be required in carrying out the operations of the Department.


SIMILAR PROVISIONS

Section is from the Department of Health, Education, and Welfare Appropriation Act, 1965, Pub. L. 88-605. Similar provisions were contained in the following prior appropriation acts:

§ 623b. General Counsel; appointment; compensation; chief legal officer; duties.

(a) There shall be in the Department of Health, Education, and Welfare, a General Counsel who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate now or hereafter provided by law for assistant secretaries of executive departments. The General Counsel shall be the chief legal officer of the Department and shall perform such functions as the Secretary of Health, Education, and Welfare may prescribe.

(b) The General Counsel shall act as Secretary during the absence or disability, "or" in the event of a vacancy in the office, of the Secretary of Health, Education, and Welfare and of the Under Secretary and the Assistant Secretaries of Health, Education, and Welfare. (July 31, 1956, ch. 802, § 2, 70 Stat. 733.)

ABOLITION OF OFFICE

Office of General Counsel established by this section abolished upon appointment and qualification of General Counsel provided for by section 623c (a) of this title, or April 1, 1957, whichever is earlier, see section 623c (b) of this title.

§ 623c. General Counsel; appointment.

(a) The President shall appoint on and after July 31, 1956, by and with the advice and consent of the Senate, a General Counsel of the Department of Health, Education, and Welfare.

(b) The existing office of General Counsel of the Department of Health, Education, and Welfare shall be abolished effective upon the appointment and qualification of the General Counsel provided for by subsection (a) of this section or April 1, 1957, whichever is earlier. (July 31, 1956, ch. 804, title III, § 301, 70 Stat. 742.)
§ 623g. Assistant Secretary for Administration; appointment and duties.

There shall be in the Department of Health, Education, and Welfare an Assistant Secretary of Health, Education, and Welfare for Administration who shall be appointed, with the approval of the President, by the Secretary of Health, Education, and Welfare under the classified civil service, who shall perform such duties as the Secretary shall prescribe. (Pub. L. 86-568, title II, § 202, July 1, 1960, 74 Stat. 305; Pub. L. 88-426, title III, § 305 (34), Aug. 14, 1964, 78 Stat. 426.)

AMENDMENTS
1964—Pub. L. 88-426 repealed provisions which prescribed the compensation of the Administrative Assistant Secretary. See section 2211 of this title.

CHANGE OF NAME
"Assistant Secretary for Health, Education, and Welfare for Administration" was substituted for "Administrative Assistant Secretary of Health, Education, and Welfare" pursuant to section 307 of Pub. L. 86-568, set out as a note under section 2211 of this title.

EFFECTIVE DATE
Section effective on the first day of the first pay period which begins on or after July 1, 1960, see section 122 of Pub. L. 86-568, set out as a note under section 1113 of this title.

Chapter 11R.—DEPARTMENT OF THE AIR FORCE

Sec.
626 to 626c-3. Repealed.
626d. Transfer of funds. 626e. Repealed.
626f—626l. Transferred.
626m—626x. Repealed.
626y. Use of appropriations for minor construction work; limitation on amount; temporary construction under authority of Secretary of Defense.

WOMEN IN THE AIR FORCE
627—627l. Repealed.

JUDGE ADVOCATE GENERAL
627l—627r. Repealed.

PROCUREMENT AND RESEARCH AUTHORITY
628—628h. Repealed.


Section 625, acts July 26, 1947, ch. 343, title II, § 207 (a), (b), (d) — (g), 61 Stat. 502; Aug. 10, 1940, ch. 412, § 12 (b), 63 Stat. 501; Aug. 3, 1934, ch. 592, § 3 (b), 48 Stat. 650, established the Department of the Air Force, created the offices of Secretary, Under Secretary and Assistant Secretaries, provided for appointments to such offices, prescribed functions of officers, authorized transfer of certain functions of the Secretary of the Army to the Secretary of the Air Force, required a seal to be made for the Department of the Air Force, and is now covered by sections 601—803, and 8033 of Title 10, Armed Forces. Subsec. (c) has been transferred to section 171-2 of this title. Subsec. (b) was also repealed by act Aug. 10, 1940, ch. 412, § 12 (c), 63 Stat. 511.

Section 626-1, acts Sept. 19, 1951, ch. 407, title I, § 102, 65 Stat. 585, Aug. 3, 1954, ch. 652, § 3 (a), 68 Stat. 640, related to the Under Secretary of the Air Force and the Assistant Secretaries of the Air Force, their appointment, duties, and assumption of Secretary's duties by Chief of Staff or other officer, and is now covered by sections 8012 and 8032 of Title 10.


Section 626a, acts July 26, 1947, ch. 343, title III, § 301 (b), 61 Stat. 507; Aug. 10, 1949, ch. 412, § 10 (a), 63 Stat. 585, prescribed the compensation of the Secretary of the Air Force, and is now covered by section 8012 of Title 10.

Section 626b, acts July 26, 1947, ch. 343, title III, § 302, 61 Stat. 507; Aug. 10, 1949, ch. 412, § 10 (b), 63 Stat. 585, prescribed the compensation and the duties of the Under Secretary and the Assistant Secretaries of the Air Force, and is now covered by section 8013 of Title 10.

Section 626c, acts July 26, 1947, ch. 343, title II, § 208 (a), (b), (d) — (f), 61 Stat. 503; Aug. 10, 1949, ch. 412, § 12 (a), (b), 63 Stat. 501; Sept. 10, 1951, ch. 407, title IV, § 402, 65 Stat. 333, created the United States Air Force, provided for its composition, appointment and tenure of a Chief of Staff, prescribed his functions, grade, allowances, and rank, authorized the transfer of jurisdiction and control of property, records, activities, and civilian personnel, prescribed functions of the United States Air Force, and is now covered by sections 743 and 8002 of Title 10, Armed Forces. Subsec. (c), which preserved the rights, benefits, and privileges of personnel of the Army Air Forces who were transferred to the Air Force, has been omitted as having only a limited interest.

Sections 626c-1 to 626c-3, act May 7, 1949, ch. 95, §§ 1-3, 63 Stat. 65, established the grade of General of the Air Force, provided for the grade of any individual transferred in the grade of General of the Army and for the effect on pay and status.

§ 625d. Transfer of funds.

All unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by or on behalf of the Army Air Forces or officers thereof, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Such other unexpended balances of appropriations, allocations, nonappropriated funds, or other funds available or hereafter made available for use by the Department of War or the Department of the Army in exercise of functions transferred to the Department of the Air Force under this Act, as the Secretary of Defense shall determine, shall be transferred to the Department of the Air Force for use in connection with the exercise of its functions. Unexpended balances transferred under this section may be used for the purposes for which the appropriations, allocations, or other funds were originally made available, or for new expenditures occasioned by the enactment of this Act. The transfers herein authorized may be made with or without warrant action as may be appropriate from time to time from any appropriation covered by this section to any other such appropriation or to such new accounts established on the books of the Treasury as may be determined to be necessary to carry into effect provisions of this Act. (July 26, 1947, ch. 343, title III, § 306, 61 Stat. 509.)