

tion Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 313(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

TERMINATION OF OFFICE OF CHIEF INSPECTOR

Pub. L. 105-206, title I, §1103(c)(2), July 22, 1998, 112 Stat. 708, provided that: “Effective upon the transfer of functions under the amendment made by paragraph (1) [amending this section], the Office of Chief Inspector of the Internal Revenue Service is terminated.”

RETENTION OF CERTAIN INTERNAL AUDIT PERSONNEL

Pub. L. 105-206, title I, §1103(c)(3), July 22, 1998, 112 Stat. 708, provided that: “In making the transfer under the amendment made by paragraph (1) [amending this section], the Commissioner of Internal Revenue shall designate and retain an appropriate number (not in excess of 300) of internal audit full-time equivalent employee positions necessary for management relating to the Internal Revenue Service.”

ADDITIONAL PERSONNEL TRANSFERS

Pub. L. 105-206, title I, §1103(c)(4), July 22, 1998, 112 Stat. 708, provided that: “Effective 180 days after the date of the enactment of this Act [July 22, 1998], the Secretary of the Treasury shall transfer 21 full-time equivalent positions from the Office of the Inspector General of the Department of the Treasury to the Office of the Treasury Inspector General for Tax Administration.”

CONTINUATION OF SERVICE OF CERTAIN INSPECTORS GENERAL

Section 102(e)(4) of Pub. L. 100-504 provided that: “Any individual who, on the date of enactment of this Act [Oct. 18, 1988], is serving as the Inspector General of the Department of Energy, the Department of Health and Human Services, or the Railroad Retirement Board, shall continue to serve in such position until such individual dies, resigns, or is removed from office in accordance with section 3(b) of the Inspector General Act of 1978 [section 3(b) of Pub. L. 95-452, set out in this Appendix].”

TRANSFER OF AUDIT PERSONNEL TO INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

Section 1117(e) of Pub. L. 97-252 provided that: “In addition to the positions transferred to the Office of the Inspector General of the Department of Defense, pursuant to the amendments made by subsection (a) of this section [amending sections 2(1), 9(a)(1), and 11(1) of this Act], the Secretary of Defense shall transfer to the Office of Inspector General of the Department of Defense not less than one hundred additional audit positions. The Inspector General of the Department of Defense shall fill such positions with persons trained to perform contract audits.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 7 section 2270.

§ 10. Conforming and technical amendments

[Section amended sections 5315 and 5316 of Title 5, Government Organization and Employees, and section 3522 of Title 42, The Public Health and Welfare, which amendments have been executed to text.]

§ 11. Definitions

As used in this Act—

(1) the term “head of the establishment” means the Secretary of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, State, Transportation, Homeland Security, or the Treasury; the Attorney General; the Administrator of the Agency for International Development, Environmental Protection, General Services, National Aeronautics and Space, Small Business, or Veterans’ Affairs; the Director of the Federal Emergency Management Agency, or the Office of Personnel Management; the Chairman of the Nuclear Regulatory Commission or the Railroad Retirement Board; the Chairperson of the Thrift Depositor Protection Oversight Board; the Chief Executive Officer of the Corporation for National and Community Service; the Administrator of the Community Development Financial Institutions Fund; the chief executive officer of the Resolution Trust Corporation; the Chairperson of the Federal Deposit Insurance Corporation; the Commissioner of Social Security, Social Security Administration; the Board of Directors of the Tennessee Valley Authority; or the President of the Export-Import Bank; as the case may be;

(2) the term “establishment” means the Department of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, the Interior, Justice, Labor, State, Transportation, Homeland Security, or the Treasury; the Agency for International Development, the Community Development Financial Institutions Fund, the Environmental Protection Agency, the Federal Emergency Management Agency, the General Services Administration, the National Aeronautics and Space Administration, the Nuclear Regulatory Commission, the Office of Personnel Management, the Railroad Retirement Board, the Resolution Trust Corporation, the Federal Deposit Insurance Corporation, the Small Business Administration, the Corporation for National and Community Service, the Veterans’ Administration, the Social Security Administration, the Tennessee Valley Authority, or the Export-Import Bank, as the case may be;

(3) the term “Inspector General” means the Inspector General of an establishment;

(4) the term “Office” means the Office of Inspector General of an establishment; and

(5) the term “Federal agency” means an agency as defined in section 552(f) of title 5 (including an establishment as defined in paragraph (2)), United States Code, but shall not be construed to include the General Accounting Office.

(Pub. L. 95-452, §11, Oct. 12, 1978, 92 Stat. 1109; Pub. L. 96-88, title V, §509(n)(3), (4), Oct. 17, 1979, 93 Stat. 695; Pub. L. 97-113, title VII, §705(a)(2), Dec. 29, 1981, 95 Stat. 1544; Pub. L. 97-252, title XI, §1117(a)(4), (5), Sept. 8, 1982, 96 Stat. 750; Pub. L. 99-93, title I, §150(a)(2), Aug. 16, 1985, 99 Stat. 427; Pub. L. 99-399, title IV, §412(a)(2), Aug. 27, 1986, 100 Stat. 867; Pub. L. 100-504, title I, §102(c), Oct. 18, 1988, 102 Stat. 2515; Pub. L. 100-527, §13(h)(2), (3), Oct. 5, 1988, 102 Stat. 2643; Pub. L. 101-73, title V, §501(b)(1), Aug. 9, 1989, 103 Stat.

393; Pub. L. 102-233, title III, §315(a), Dec. 12, 1991, 105 Stat. 1772; Pub. L. 103-82, title II, §202(g)(4), Sept. 21, 1993, 107 Stat. 890; Pub. L. 103-204, §23(a)(1), Dec. 17, 1993, 107 Stat. 2407; Pub. L. 103-296, title I, §108(l)(2), Aug. 15, 1994, 108 Stat. 1489; Pub. L. 103-325, title I, §118(a), Sept. 23, 1994, 108 Stat. 2188; Pub. L. 104-106, div. D, title XLIII, §4322(b)(1), (3), Feb. 10, 1996, 110 Stat. 677; Pub. L. 105-277, div. G, subd. A, title XIII, §1314(b), Oct. 21, 1998, 112 Stat. 2681-776; Pub. L. 106-422, §1(b)(2), Nov. 1, 2000, 114 Stat. 1872; Pub. L. 107-189, §22(a), (d), June 14, 2002, 116 Stat. 707, 708; Pub. L. 107-296, title XVII, §1701, Nov. 25, 2002, 116 Stat. 2313.)

CODIFICATION

Amendment by Pub. L. 100-527 amended section as it existed prior to amendment by Pub. L. 100-504, see Effective Date of 1988 Amendments note below.

AMENDMENTS

2002—Par. (1). Pub. L. 107-296, §1701(2), which directed amendment of par. (1) by striking out “; and” in two places, could not be executed because “; and” did not appear in par. (1) subsequent to amendment by Pub. L. 107-189, §22(d)(1)(B), (C). See below.

Pub. L. 107-296, §1701(1), inserted “Homeland Security,” after “Transportation.”

Pub. L. 107-189, §22(a)(1), (d)(1), struck out second semicolon after “National and Community Service”, struck out “and” after “Financial Institutions Fund;” and after “Resolution Trust Corporation;”, and substituted “the Board of Directors of the Tennessee Valley Authority; or the President of the Export-Import Bank;” for “or the Board of Directors of the Tennessee Valley Authority;”.

Par. (2). Pub. L. 107-296, §1701(1), inserted “Homeland Security,” after “Transportation.”

Pub. L. 107-189, §22(a)(2), (d)(2), struck out “or” after “National and Community Service,” and substituted “the Tennessee Valley Authority, or the Export-Import Bank,” for “or the Tennessee Valley Authority;”.

Par. (5). Pub. L. 107-189, §22(d)(3), substituted “section 552(f) of title 5” for “section 552(e) of title 5”.

2000—Par. (1). Pub. L. 106-422, §1(b)(2)(A), substituted “the Commissioner of Social Security, Social Security Administration; or the Board of Directors of the Tennessee Valley Authority;” for “or the Commissioner of Social Security, Social Security Administration;”.

Par. (2). Pub. L. 106-422, §1(b)(2)(B), substituted “the Social Security Administration, or the Tennessee Valley Authority;” for “or the Social Security Administration;”.

1998—Par. (1). Pub. L. 105-277, §1314(b)(1), which directed the substitution of “or the Office of Personnel Management” for “the Office of Personnel Management, the United States Information Agency”, was executed by making the substitution for “the Office of Personnel Management or the United States Information Agency” to reflect the probable intent of Congress.

Par. (2). Pub. L. 105-277, §1314(b)(2), struck out “the United States Information Agency,” after “Small Business Administration;”.

1996—Par. (1). Pub. L. 104-106, §4322(b)(3), made technical correction to directory language of Pub. L. 101-73, §501(b)(1)(A). See 1989 Amendment note below.

Par. (2). Pub. L. 104-106, §4322(b)(1), substituted “Community Service,” for “Community Service.”

1994—Par. (1). Pub. L. 103-325, §118(a)(1), inserted “; the Administrator of the Community Development Financial Institutions Fund;” before “and the chief executive officer of the Resolution Trust Corporation”.

Pub. L. 103-296, §108(l)(2)(A), inserted “; or the Commissioner of Social Security, Social Security Administration” before “; as the case may be”.

Par. (2). Pub. L. 103-325, §118(a)(2), inserted “the Community Development Financial Institutions Fund,” after “the Agency for International Development;”.

Pub. L. 103-296, §108(l)(2)(B), inserted “; or the Social Security Administration” before “; as the case may be”.

1993—Par. (1). Pub. L. 103-204, §23(a)(1)(A), inserted “and the Chairperson of the Federal Deposit Insurance Corporation;” after “Resolution Trust Corporation;”.

Pub. L. 103-82, §202(g)(4)(A), inserted “; the Chief Executive Officer of the Corporation for National and Community Service;” after “Thrift Depositor Protection Oversight Board”.

Par. (2). Pub. L. 103-204, §23(a)(1)(B), inserted “the Federal Deposit Insurance Corporation,” after “Resolution Trust Corporation;”.

Pub. L. 103-82, §202(g)(4)(B), inserted “; the Corporation for National and Community service,” after “United States Information Agency”.

1991—Par. (1). Pub. L. 102-233 substituted “; the Chairperson of the Thrift Depositor Protection Oversight Board and the chief executive officer of the Resolution Trust Corporation” for “the Oversight Board and the Board of Directors of the Resolution Trust Corporation”.

1989—Par. (1). Pub. L. 101-73, §501(b)(1)(A), as amended by Pub. L. 104-106, §4322(b)(3), inserted “the Oversight Board and the Board of Directors of the Resolution Trust Corporation” before “; as the case may be;”.

Par. (2). Pub. L. 101-73, §501(b)(1)(B), inserted “the Resolution Trust Corporation,” after “the Railroad Retirement Board;”.

1988—Pars. (1), (2). Pub. L. 100-527, §13(h)(2), (3), substituted “Transportation, or Veterans’ Affairs,” for “or Transportation” and “or Small Business” for “Small Business, or Veterans’ Affairs” in par. (1), and substituted “Transportation, or Veterans Affairs,” for “or Transportation” and “or the United States Information Agency” for “the United States Information Agency or the Veterans’ Administration” in par. (2). See Codification note above.

Pub. L. 100-504 added pars. (1) and (2) and struck out former pars. (1) and (2), as amended by Pub. L. 100-527, which read as follows:

“(1) the term ‘head of the establishment’ means the Secretary of Agriculture, Commerce, Defense, Education, Housing and Urban Development, the Interior, Labor, State, Transportation, or Veterans’ Affairs, or the Administrator of the Agency for International Development, Community Services, Environmental Protection, General Services, National Aeronautics and Space, or Small Business, or the Director of the United States Information Agency as the case may be;

“(2) the term ‘establishment’ means the Department of Agriculture, Commerce, Defense, Education, Housing and Urban Development, the Interior, Labor, State, Transportation, or Veterans Affairs, or the Agency for International Development, the Community Services Administration, the Environmental Protection Agency, the General Services Administration, the National Aeronautics and Space Administration, the Small Business Administration, or the United States Information Agency, as the case may be;”.

1986—Pars. (1), (2). Pub. L. 99-399 inserted “or the Director of the United States Information Agency” in par. (1) and “the United States Information Agency” in par. (2).

1985—Pars. (1), (2). Pub. L. 99-93 inserted “State,” after “Labor;”.

1982—Pars. (1), (2). Pub. L. 97-252 inserted “Defense,” after “Commerce;”.

1981—Pars. (1), (2). Pub. L. 97-113 inserted “the Agency for International Development,” after “Administrator of” in par. (1), and inserted “the Agency for International Development,” after “Transportation or” in par. (2).

1979—Pars. (1), (2). Pub. L. 96-88 inserted “Education,” after “Commerce;”.

CHANGE OF NAME

References to Administrator of Veterans’ Affairs and to Veterans’ Administration deemed to refer to Secretary of Veterans Affairs and to Department of Veter-

ans Affairs, respectively, pursuant to section 10 of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

EFFECTIVE DATE OF 2002 AMENDMENTS

Amendment by Pub. L. 107-296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

Amendment by Pub. L. 107-189 effective Oct. 1, 2002, see section 22(e) of Pub. L. 107-189, set out as a note under section 5315 of this title.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-422 effective 30 days after Nov. 1, 2000, see section 1(d)(1) of Pub. L. 106-422, set out as a note under section 8G of Pub. L. 95-452 in this Appendix.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Oct. 1, 1999, see section 1301 of Pub. L. 105-277, set out as an Effective Date note under section 6531 of Title 22, Foreign Relations and Intercourse.

EFFECTIVE DATE OF 1996 AMENDMENT

Section 4322(b)(3) of Pub. L. 104-106 provided that the amendment made by that section is effective as of Aug. 9, 1989, and as if included in Pub. L. 101-73 as enacted.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 202(i) of Pub. L. 103-82, set out as an Effective Date note under section 12651 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-233 effective Feb. 1, 1992, see section 318 of Pub. L. 102-233, set out as a note under section 1441 of Title 12, Banks and Banking.

EFFECTIVE DATE OF 1988 AMENDMENTS

Amendment by Pub. L. 100-527 effective Mar. 15, 1989, see section 18(a) of Pub. L. 100-527, set out as a Department of Veterans Affairs Act note under section 301 of Title 38, Veterans' Benefits.

Amendment by Pub. L. 100-504 effective 180 days after Oct. 18, 1988, see section 113 of Pub. L. 100-504, set out as a note under section 5 of Pub. L. 95-452 in this Appendix.

EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-88 effective May 4, 1980, with specified exceptions, see section 601 of Pub. L. 96-88, set out as an Effective Date note under section 3401 of Title 20, Education.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 313(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

COMMUNITY SERVICES ADMINISTRATION

The Community Services Administration, which was established by section 601 of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2941), was terminated

when the Economic Opportunity Act of 1964, Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508, as amended, was repealed, except for titles VIII and X, effective Oct. 1, 1981, by section 683(a) of Pub. L. 97-35, title VI, Aug. 13, 1981, 95 Stat. 519, which is classified to 42 U.S.C. 9912(a). An Office of Community Services, headed by a Director, was established in the Department of Health and Human Services by section 676 of Pub. L. 97-35, which is classified to 42 U.S.C. 9905.

MERGER OF OFFICE OF INSPECTOR GENERAL OF UNITED STATES INFORMATION AGENCY WITH OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF STATE; TRANSFER OF FUNCTIONS

Pub. L. 104-134, title I, §101[(a)] [title IV], Apr. 26, 1996, 110 Stat. 1321, 1321-37; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327, provided: "That notwithstanding any other provision of law, (1) the Office of the Inspector General of the United States Information Agency is hereby merged with the Office of the Inspector General of the Department of State; (2) the functions exercised and assigned to the Office of the Inspector General of the United States Information Agency before the effective date of this Act [Apr. 26, 1996] (including all related functions) are transferred to the Office of the Inspector General of the Department of State; and (3) the Inspector General of the Department of State shall also serve as the Inspector General of the United States Information Agency."

[Pub. L. 104-208, div. A, title I, §101(a) [title IV], Sept. 30, 1996, 110 Stat. 3009, 3009-47, provided in part: "That notwithstanding any other provision of law, the merger of the Office of Inspector General of the United States Information Agency with the Office of Inspector General of the Department of State provided for in the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996, contained in Public Law 104-134 [set out above], is effective hereafter."]

[For abolition of Office of Inspector General of the United States Information Agency and transfer of functions to Office of Inspector General of Department of State and Foreign Service, see section 6533 of Title 22, Foreign Relations and Intercourse.]

OFFICE OF INSPECTOR GENERAL OF COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND; AUTHORIZATION OF APPROPRIATIONS

Section 118(b) of Pub. L. 103-325 provided that: "There are authorized to be appropriated such sums as may be necessary for the operation of the Office of Inspector General established by the amendments made by subsection (a) [amending this section]."

OFFICE OF INSPECTOR GENERAL OF RESOLUTION TRUST CORPORATION; AUTHORIZATION OF APPROPRIATIONS

Section 501(b)(2)(B) of Pub. L. 101-73 provided that: "There is hereby authorized to be appropriated such sums as may be necessary for the operation of the Office of Inspector General established by the amendment made by paragraph (1) of this subsection [amending this section]."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 22 sections 3929, 4861; title 31 sections 1105, 3801; title 39 section 1003; title 42 section 8262f.

§ 12. Effective date

The provisions of this Act and the amendments made by this Act [see section 10 of this Act] shall take effect October 1, 1978.

(Pub. L. 95-452, §12, Oct. 12, 1978, 92 Stat. 1109.)