Reorganization Plan No. 2 of 1966

Transmitted Feb. 28, 1966.
Effective May 10, 1966.
Ante, p. 394.
5 USC 901-913.

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, February 28, 1966, pursuant to the provisions of the Reorganization Act of 1949, 63 Stat. 203, as amended.

WATER POLLUTION CONTROL

SECTION 1. *Transfers of functions and agencies.* (a) Except as otherwise provided in this section, all functions of the Secretary of Health, Education, and Welfare and of the Department of Health, Education, and Welfare under the Federal Water Pollution Control Act, as amended, hereinafter referred to as the Act (33 U.S.C. 466 et seq.), including all functions of other officers, or of employees or agencies, of that Department under the Act, are hereby transferred to the Secretary of the Interior.

70 Stat. 498.

(b) The Federal Water Pollution Control Administration is hereby transferred to the Department of the Interior.

(c) (1) The Water Pollution Control Advisory Board, together with its functions, is hereby transferred to the Department of the Interior.

(2) The functions of the Secretary of Health, Education, and Welfare (including those of his designee) under section 9 of the Act shall be deemed to be hereby transferred to the Secretary of the Interior.

79 Stat. 903.
33 USC 466f.

(3) The Secretary of Health, Education, and Welfare shall be an additional member of the said Board as provided for by section 9 of the Act and as modified by this reorganization plan.

(d) (1) The Hearing Boards provided for in sections 10(c)(4) and 10(f) of the Act, including any Boards so provided for which may be in existence on the effective date of this reorganization plan, together with their respective functions, are hereby transferred to the Department of the Interior.

33 USC 466g.

(2) The functions of the Secretary of Health, Education, and Welfare under the said sections 10(c)(4) and 10(f) shall be deemed to be hereby transferred to the Secretary of the Interior.

(3) The Secretary of the Interior shall give the Secretary of Health, Education, and Welfare opportunity to select a member of each Hearing Board appointed pursuant to sections 10(c)(4) and 10(f) of the Act as modified by this reorganization plan.

(e) There are excepted from the transfers effected by subsection (a) of this section (1) the functions of the Secretary of Health, Education, and Welfare and the Assistant Secretary of Health, Education, and Welfare under clause (2) of the second sentence of section 1(b) of the Act, and (2) so much of the functions of the Secretary of Health, Education, and Welfare under section 3(b)(2) of the Act as relates to public health aspects.

33 USC 466.

(f) The functions of the Surgeon General under section 2(k) of the Water Quality Act of 1965 (79 Stat. 905) are transferred to the Secretary of Health, Education, and Welfare. Within 90 days after this reorganization plan becomes effective, the Secretary of the Interior and the Secretary of Health, Education, and Welfare shall present to the President for his approval an interdepartmental agreement providing in detail for the implementation of the consultations provided for by said section 2(k). Such interdepartmental agreement may be modified from time to time by the two Secretaries with the approval of the President.

33 USC 466-1 note.

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(g) The functions of the Secretary of Health, Education, and Welfare under sections 2(b), (c), and (g) of the Water Quality Act of 1965 are hereby transferred to the Secretary of the Interior: *Provided*, That the Secretary of the Interior may exercise the authority to provide further periods for the transfer to classified positions in the Federal Water Pollution Control Administration of commissioned officers of the Public Health Service under said section 2(b) only with the concurrence of the Secretary of Health, Education, and Welfare.

79 Stat. 903.
33 USC 466-1 note.

(h) The functions of the Secretary of Health, Education, and Welfare under the following provisions of law are hereby transferred to the Secretary of the Interior:

(1) Section 702(a) of the Housing and Urban Development Act of 1965 (79 Stat. 490).

42 USC 3102.

(2) Section 212 of the Appalachian Regional Development Act of 1965 (79 Stat. 16).

40 USC app. 212.

(3) Section 106 of the Public Works and Economic Development Act of 1965 (79 Stat. 554).

42 USC 3136.

SEC. 2. *Assistant Secretary of the Interior.* There shall be in the Department of the Interior one additional Assistant Secretary of the Interior, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall, except as the Secretary of the Interior may direct otherwise, assist the Secretary in the discharge of the functions transferred to him hereunder, who shall perform such other duties as the Secretary shall from time to time prescribe, and who shall receive compensation at the rate now or hereafter prescribed by law for Assistant Secretaries of the Interior.

SEC. 3. *Performance of transferred functions.* The provisions of sections 2 and 5 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262) shall be applicable to the functions transferred hereunder to the Secretary of the Interior to the same extent as they are applicable to the functions transferred to the Secretary thereunder.

5 USC 133z-15 note.

SEC. 4. *Incidental provisions.* (a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, employed, used, held, available, or to be made available in connection with the functions tranferred to the Secretary of the Interior or the Department of the Interior by this reorganization plan as the Director of the Bureau of the Budget shall determine shall be transferred to the Department of the Interior at such time or times as the Director shall direct.

Personnel, property, records, and funds.
Transfers.

(b) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(c) This reorganization plan shall not impair the transfer rights and benefits of commissioned officers of the Public Health Service provided by section 2 of the Water Quality Act of 1965.

33 USC 466-1 and note.

SEC. 5. *Abolition of office.* (a) There is hereby abolished that office of Assistant Secretary of Health, Education, and Welfare the incumbent of which is on date of the transmittal of this reorganization plan to the Congress the Assistant Secretary of Health, Education, and Welfare designated by the Secretary of Health, Education, and Welfare under the provisions of section 1(b) of the Act.

33 USC 466.

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(b) The Secretary of Health, Education, and Welfare shall make such provisions as he shall deem to be necessary respecting the winding up of any outstanding affairs of the Assistant Secretary whose office is abolished by subsection (a) of this section.

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