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## EXECUTIVE ORDERS

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Executive Order 12663 of January 6, 1989

### Adjustments of Certain Rates of Pay and Allowances

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 620 of Public Law 100-440, it is hereby ordered as follows:

**Section 1. *Statutory Pay Systems.*** The rates of basic pay and salaries of the following statutory pay systems are set forth on the schedules attached hereto and made a part hereof:

- (a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;
- (b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and
- (c) The schedules for the Department of Medicine and Surgery, Veterans Administration (38 U.S.C. 4107) at Schedule 3.

**Sec. 2. *Senior Executive Service.*** Pursuant to the provisions of section 5382 of title 5, United States Code, the rates of basic pay for members of the Senior Executive Service are set forth on Schedule 4 attached hereto and made a part hereof.

**Sec. 3. *Executive Salaries.*** The rates of pay or salaries for the following offices and positions are set forth on the Schedules attached hereto and made a part hereof:

- (a) The Executive Schedule (5 U.S.C. 5312-5316) at Schedule 5;
- (b) The Vice President (3 U.S.C. 104) and Congressional Salaries (2 U.S.C. 31) at Schedule 6; and
- (c) Salaries for justices and judges (28 U.S.C. 5, 44(d), 135, 252) at Schedule 7.

**Sec. 4. *Uniformed Services.*** Pursuant to section 601 of Public Law 100-456, the rates of monthly basic pay (37 U.S.C. 203(a)), the rates of basic allowances for subsistence (37 U.S.C. 402), and the rates of basic allowances for quarters (37 U.S.C. 403(a)) for members of the uniformed services are set forth at Schedule 8 attached hereto and made a part hereof.

**Sec. 5. Effective Dates.** The rates of monthly basic pay and allowances for subsistence and quarters for members of the uniformed services provided for herein are effective on January 1, 1989. All other schedules provided for herein are effective on the first day of the first applicable pay period beginning on or after January 1, 1989.

**Sec. 6.** Executive Order No. 12622 of December 31, 1987, is superseded.

RONALD REAGAN

THE WHITE HOUSE,

January 6, 1989.

Schedule 1—GENERAL SCHEDULE

GS-	1	2	3	4	5*	6	7	8	9	10
1.....	\$10,213	\$10,555	\$10,894	\$11,233	\$11,573	\$11,773	\$12,108	\$12,445	\$12,461	\$12,780
2.....	11,484	11,757	12,137	12,461	12,601	12,972	13,343	13,714	14,085	14,456
3.....	12,531	12,949	13,367	13,785	14,203	14,621	15,039	15,457	15,875	16,293
4.....	14,007	14,536	15,005	15,474	15,943	16,412	16,881	17,350	17,819	18,288
5.....	15,738	16,263	16,788	17,313	17,838	18,363	18,888	19,413	19,938	20,463
6.....	17,542	18,127	18,712	19,297	19,882	20,467	21,052	21,637	22,222	22,807
7.....	19,493	20,143	20,793	21,443	22,093	22,743	23,393	24,043	24,693	25,343
8.....	21,590	22,310	23,030	23,750	24,470	25,190	25,910	26,630	27,350	28,070
9.....	23,846	24,641	25,436	26,231	27,026	27,821	28,616	29,411	30,206	31,001
10.....	26,261	27,136	28,011	28,886	29,761	30,636	31,511	32,386	33,261	34,136
11.....	28,852	29,814	30,776	31,738	32,700	33,662	34,624	35,586	36,548	37,510
12.....	34,580	35,733	36,886	38,039	39,192	40,345	41,498	42,651	43,804	44,957
13.....	41,121	42,492	43,863	45,234	46,605	47,976	49,347	50,718	52,089	53,460
14.....	48,592	50,212	51,832	53,452	55,072	56,692	58,312	59,932	61,552	63,172
15.....	57,158	59,063	60,968	62,873	64,778	66,683	68,588	70,493	72,398	74,303
16.....	67,038	69,273	71,508	73,743	75,473	76,678*	78,809*	81,060*	82,500*	
17.....	76,990*	79,556*	82,122*	82,500*	83,818*					
18.....	86,682*									

\* The rate of basic pay payable to employees at these rates is limited to the rate for level V of the Executive Schedule, which is \$75,500.

Schedule 2—FOREIGN SERVICE SCHEDULE

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1.....	\$57,158	\$46,315	\$37,529	\$30,410	\$24,041	\$22,028	\$19,693	\$17,605	\$15,738
2.....	58,873	47,704	38,655	31,322	25,360	22,689	20,284	18,133	16,210
3.....	60,639	49,136	39,815	32,262	26,142	23,370	20,892	18,677	16,896
4.....	62,458	50,610	41,009	33,230	26,928	24,071	21,519	19,237	17,197
5.....	64,332	52,128	42,239	34,227	27,734	24,793	22,165	19,815	17,713
6.....	66,262	53,692	43,506	35,254	28,566	25,536	22,830	20,409	18,245
7.....	68,250	55,303	44,812	36,311	29,423	26,303	23,514	21,021	18,792
8.....	70,297	56,962	46,156	37,400	30,305	27,092	24,220	21,652	19,356
9.....	72,406	58,670	47,541	38,522	31,214	27,904	24,947	22,301	19,936
10.....	74,303	60,431	48,967	39,678	32,151	28,742	25,695	22,971	20,535
11.....	74,303	62,243	50,436	40,868	33,115	29,604	26,466	23,660	21,151
12.....	74,303	64,111	51,049	42,095	34,109	30,492	27,260	24,369	21,785
13.....	74,303	66,034	53,507	43,357	35,132	31,407	28,076	25,101	22,439
14.....	74,303	68,015	55,113	44,658	36,186	32,349	28,920	25,854	23,112

Schedule 3—DEPARTMENT OF MEDICINE AND SURGERY SCHEDULES,  
VETERANS ADMINISTRATION

	1	2	3	4	5
<i>Section 4103 Schedule</i>					
Chief Medical Director.....	\$97,206 <sup>1</sup>				
Deputy Chief Medical Director.....	93,248 <sup>2</sup>				
Associate Deputy Chief Medical Director.....	89,314 <sup>3</sup>				
Assistant Chief Medical Director.....	86,682 <sup>3</sup>				
Medical Director.....	76,990 <sup>3</sup>	\$78,128 <sup>3</sup>	\$79,266 <sup>3</sup>	\$80,404 <sup>3</sup>	\$81,542 <sup>3</sup>
Director of Nursing Service....	76,990 <sup>3</sup>	78,128 <sup>3</sup>	79,266 <sup>3</sup>	80,404 <sup>3</sup>	81,542 <sup>3</sup>
Director of Podiatric Service..	67,038	69,273	71,508	73,743	75,473
Director of Chaplain Service..	67,038	69,273	71,508	73,743	75,473
Director of Pharmacy Service.....	67,038	69,273	71,508	73,743	75,473
Director of Dietetic Service....	67,038	69,273	71,508	73,743	75,473
Director of Optometric Service.....	67,038	69,273	71,508	73,743	75,473
<i>Physician and Dentist Schedule</i>					
Director Grade.....	\$67,038	\$69,273	\$71,508	\$73,743	\$75,473
Executive Grade.....	61,900	63,963	66,026	68,089	70,152
Chief Grade.....	57,158	59,063	60,968	62,873	64,778
Senior Grade.....	48,592	50,212	51,832	53,452	55,072
Intermediate Grade.....	41,121	42,492	43,863	45,234	46,605
Full Grade.....	34,580	35,733	36,886	38,039	39,192
Associate Grade.....	28,852	29,814	30,776	31,738	32,700
<i>Clinical Podiatrist and Optometrist Schedule</i>					
Chief Grade.....	\$57,158	\$59,063	\$60,968	\$62,873	\$64,778
Senior Grade.....	48,592	50,212	51,832	53,452	55,072
Intermediate Grade.....	41,121	42,492	43,863	45,234	46,605
Full Grade.....	34,580	35,733	36,886	38,039	39,192
Associate Grade.....	28,852	29,814	30,776	31,738	32,700
<i>Nurse Schedule</i>					
Director Grade.....	\$57,158	\$59,063	\$60,968	\$62,873	\$64,778
Assistant Director Grade.....	48,592	50,212	51,832	53,452	55,072
Chief Grade.....	41,121	42,492	43,863	45,234	46,605
Senior Grade.....	34,580	35,733	36,886	38,039	39,192
Intermediate Grade.....	28,852	29,814	30,776	31,738	32,700
Full Grade.....	23,846	24,641	25,436	26,231	27,026
Associate Grade.....	20,521	21,205	21,889	22,573	23,257
Junior Grade.....	17,542	18,127	18,712	19,297	19,882

	6	7	8	9	10
<i>Section 4103 Schedule</i>					
Chief Medical Director.....					
Deputy Chief Medical Director.....					
Associate Deputy Chief Medical Director.....					
Assistant Chief Medical Director.....					
Medical Director.....	\$82,500 <sup>3</sup>	\$83,818 <sup>3</sup>			
Director of Nursing Service....	82,500 <sup>3</sup>	83,818 <sup>3</sup>			
Director of Podiatric Service..	76,678 <sup>3</sup>	78,869 <sup>3</sup>	\$81,060 <sup>3</sup>		
Director of Chaplain Service..	76,678 <sup>3</sup>	78,869 <sup>3</sup>	81,060 <sup>3</sup>		

	6	7	8	9	10
Director of Pharmacy Service.....	76,678 <sup>3</sup>	78,869 <sup>3</sup>	81,060 <sup>3</sup>		
Director of Dietetic Service ....	76,678 <sup>3</sup>	78,869 <sup>3</sup>	81,060 <sup>3</sup>		
Director of Optometric Service.....	76,678 <sup>3</sup>	78,869 <sup>3</sup>	81,060 <sup>3</sup>		
<i>Physician and Dentist Schedule</i>					
Director Grade.....	\$76,678 <sup>3</sup>	\$78,869 <sup>3</sup>	\$81,060 <sup>3</sup>	\$82,500 <sup>3</sup>	
Executive Grade.....	72,215	74,278	76,341 <sup>3</sup>	78,868 <sup>3</sup>	\$78,891 <sup>3</sup>
Chief Grade.....	66,683	68,588	70,493	72,398	74,303
Senior Grade.....	56,692	58,312	59,932	61,552	63,172
Intermediate Grade.....	47,976	49,347	50,718	52,089	53,460
Full Grade.....	40,345	41,498	42,651	43,804	44,957
Associate Grade.....	33,662	34,624	35,586	36,548	37,510
<i>Clinical Podiatrist and Optometrist Schedule</i>					
Chief Grade.....	\$66,683	\$68,588	\$70,493	\$72,398	\$74,303
Senior Grade.....	56,692	58,312	59,932	61,552	63,172
Intermediate Grade.....	47,976	49,347	50,718	52,089	53,460
Full Grade.....	40,345	41,498	42,651	43,804	44,957
Associate Grade.....	33,662	34,624	35,586	36,548	37,510
<i>Nurse Schedule</i>					
Director Grade.....	\$66,683	\$68,588	\$70,493	\$72,398	\$74,303
Assistant Director Grade.....	56,692	58,312	59,932	61,552	63,172
Chief Grade.....	47,976	49,347	50,718	52,089	53,460
Senior Grade.....	40,345	41,498	42,651	43,804	44,957
Intermediate Grade.....	33,662	34,624	35,586	36,548	37,510
Full Grade.....	27,821	28,616	29,411	30,206	31,001
Associate Grade.....	23,941	24,625	25,309	25,993	26,677
Junior Grade.....	20,467	21,052	21,637	22,222	22,807

<sup>1</sup> The rate of basic pay is limited to the rate for level III of the Executive Schedule, which is \$82,500.  
<sup>2</sup> The rate of basic pay is limited to the rate for level IV of the Executive Schedule, which is \$80,700.  
<sup>3</sup> The rate of basic pay is limited to the rate for level V of the Executive Schedule, which is \$75,500.

Schedule 4—SENIOR EXECUTIVE SERVICE

- ES-1..... the sum of \$68,700 and an amount equaling 28.8 percent of the amount by which the rate in effect from time to time for level IV of the Executive Schedule exceeds \$80,700, rounded to the nearest multiple of \$100.
- ES-2..... the sum of \$71,800 and an amount equaling 31.0 percent of the amount by which the rate in effect from time to time for level IV of the Executive Schedule exceeds \$80,700, rounded to the nearest multiple of \$100.
- ES-3..... the sum of \$74,900 and an amount equaling 38.4 percent of the amount by which the rate in effect from time to time for level IV of the Executive Schedule exceeds \$80,700, rounded to the nearest multiple of \$100.
- ES-4..... the sum of \$76,400 and an amount equaling 55.0 percent of the amount by which the rate in effect from time to time for level IV of the Executive Schedule exceeds \$80,700, rounded to the nearest multiple of \$100.
- ES-5..... the sum of \$78,600 and an amount equaling 74.8 percent of the amount by which the rate in effect from time to time for level IV of the Executive Schedule exceeds \$80,700, rounded to the nearest multiple of \$100.
- ES-6..... the rate in effect from time to time for level IV of the Executive Schedule.

Schedule 5—EXECUTIVE SCHEDULE

level I.....	\$99,500
level II.....	89,500
level III.....	82,500
level IV.....	80,700
level V.....	75,500

Schedule 6—VICE PRESIDENT AND MEMBERS OF CONGRESS

Vice President .....	\$115,000
Senators .....	89,500
Members of the House of Representatives .....	89,500
Delegates to the House of Representatives .....	89,500
Resident Commissioner from Puerto Rico .....	89,500
President pro tempore of the Senate .....	99,500
Majority leader and minority leader of the Senate .....	99,500
Majority leader and minority leader of the House of Representatives .....	99,500
Speaker of the House of Representatives .....	115,000

Schedule 7—JUDICIAL SALARIES

Chief Justice of the United States .....	\$115,000
Associate Justices of the Supreme Court .....	110,000
Circuit Judges .....	95,000
District Judges .....	89,500
Judges of the Court of International Trade .....	89,500
Judges of the United States Claims Court .....	89,500

Schedule 8—PAY AND ALLOWANCES OF THE UNIFORMED SERVICES

Part I—Monthly Basic Pay Table

Years of Service (Computed under 37 U.S.C. 205)

Pay Grade	Commissioned Officers							
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	
O-10 <sup>1</sup> .....	\$5710.80	\$5911.80	\$5911.80	\$5911.80	\$5911.80	\$6138.30	\$6138.30	
O-9 .....	5061.30	5193.90	5304.30	5304.30	5304.30	5439.30	5439.30	
O-8 .....	4584.30	4721.40	4833.60	4833.60	4833.60	5193.90	5193.90	
O-7 .....	3809.10	4068.00	4068.00	4068.00	4250.40	4250.40	4496.70	
O-6 .....	2823.30	3102.00	3305.10	3305.10	3305.10	3305.10	3305.10	
O-5 .....	2257.80	2651.40	2834.70	2834.70	2834.70	2834.70	2920.50	
O-4 .....	1903.50	2317.80	2472.30	2472.30	2518.20	2629.20	2808.60	
O-3 <sup>2</sup> .....	1768.80	1977.60	2114.10	2339.10	2451.00	2538.90	2676.30	
O-2 <sup>2</sup> .....	1542.30	1684.50	2023.50	2091.60	2135.40	2135.40	2135.40	
O-1 <sup>2</sup> .....	1338.90	1394.10	1684.50	1684.50	1684.50	1684.50	1684.50	
		Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 28
O-10 <sup>1</sup> .....	\$6478.80*	\$6478.80*	\$6875.10*	\$6875.10*	\$7115.10*	\$7115.10*	\$7558.50*	
O-9 .....	5665.80	5665.80	6138.30	6138.30	6478.80*	6478.80*	6875.10*	
O-8 .....	5439.30	5439.30	5665.80	5911.80	6138.30	6289.50	6289.50	
O-7 .....	4496.70	4721.40	5193.90	5551.20	5551.20	5551.20	5551.20	
O-6 .....	3305.10	3417.30	3957.60	4159.80	4250.40	4496.70	4877.10	
O-5 .....	3077.40	3283.80	3529.50	3732.00	3845.10	3979.20	3979.20	
O-4 .....	2966.40	3102.00	3237.90	3327.60	3327.60	3327.60	3327.60	
O-3 <sup>2</sup> .....	2808.60	2877.90	2877.90	2877.90	2877.90	2877.90	2877.90	
O-2 <sup>2</sup> .....	2135.40	2135.40	2135.40	2135.40	2135.40	2135.40	2135.40	
O-1 <sup>2</sup> .....	1684.50	1684.50	1684.50	1684.50	1684.50	1684.50	1684.50	

\* Basic pay is limited to the rate of basic pay for level V of the Executive Schedule, which is \$8,291.60 per month.

<sup>1</sup> While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is \$8,340.00\*, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

<sup>2</sup> Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member or warrant officer.

Pay Grade	Commissioned Officers with over 4 years' active duty as an enlisted member or warrant officer						
				Over 4	Over 6	Over 8	Over 10
O-3.....				\$2339.10	\$2451.00	\$2538.90	\$2676.30
O-2.....				2091.60	2135.40	2202.90	2317.80
O-1.....				1664.50	1799.40	1865.70	1933.20
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O-3.....	\$2808.60	\$2920.50	\$2920.50	\$2920.50	\$2920.50	\$2920.50	\$2920.50
O-2.....	2406.30	2472.30	2472.30	2472.30	2472.30	2472.30	2472.30
O-1.....	2000.70	2091.60	2091.60	2091.60	2091.60	2091.60	2091.60

Pay Grade	Warrant Officers						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
W-4.....	\$1802.10	\$1933.20	\$1933.20	\$1977.60	\$2067.30	\$2158.50	\$2249.10
W-3.....	1637.70	1776.60	1776.60	1799.40	1820.40	1953.60	2067.30
W-2.....	1434.30	1551.90	1551.90	1597.20	1664.50	1776.60	1844.10
W-1.....	1195.20	1370.40	1370.40	1484.70	1551.90	1618.80	1684.50
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
W-4.....	\$2406.30	\$2518.20	\$2606.40	\$2676.30	\$2762.70	\$2855.10	\$3077.40
W-3.....	2135.40	2202.90	2268.60	2339.10	2430.00	2518.20	2606.40
W-2.....	1911.60	1977.60	2046.60	2114.10	2180.70	2268.60	2268.60
W-1.....	1754.10	1820.40	1888.20	1953.60	2023.50	2023.50	2023.50

Pay Grade	Enlisted Members						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
E-9 <sup>1</sup> .....						\$1758.00	\$2096.10
E-8.....							1808.10
E-7.....	\$1227.30	\$1324.80	\$1374.00	\$1422.00	\$1470.60	1517.40	1566.00
E-6.....	1056.00	1150.80	1198.80	1249.80	1296.30	1343.40	1392.90
E-5.....	926.70	1008.60	1057.50	1103.70	1176.00	1224.00	1272.60
E-4.....	864.30	912.60	966.30	1041.30	1082.40	1082.40	1082.40
E-3.....	814.20	858.90	893.40	928.80	928.80	928.80	928.80
E-2.....	783.60	783.60	783.60	783.60	783.60	783.60	783.60
E-1 <sup>2</sup> .....	699.00	699.00	699.00	699.00	699.00	699.00	699.00
E-1 <sup>3</sup> .....	646.20	646.20	646.20	646.20	646.20	646.20	646.20
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
E-9 <sup>1</sup> .....	\$2143.50	\$2192.10	\$2242.20	\$2292.30	\$2337.00	\$2459.70	\$2698.80
E-8.....	1855.80	1904.10	1954.20	1999.20	2048.40	2108.70	2410.20
E-7.....	1614.60	1687.80	1735.80	1784.10	1807.20	1928.70	2168.70
E-6.....	1464.60	1510.50	1559.40	1583.10	1583.10	1583.10	1583.10
E-5.....	1319.40	1343.40	1343.40	1343.40	1343.40	1343.40	1343.40
E-4.....	1082.40	1082.40	1082.40	1082.40	1082.40	1082.40	1082.40
E-3.....	928.80	928.80	928.80	928.80	928.80	928.80	928.80
E-2.....	783.60	783.60	783.60	783.60	783.60	783.60	783.60

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—Continued

Pay Grade	Enlisted Members						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
E-1 <sup>2</sup> .....	699.00	699.00	699.00	699.00	699.00	699.00	699.00
E-1 <sup>3</sup> .....	646.20	646.20	646.20	646.20	646.20	646.20	646.20

<sup>1</sup> While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$3,280.50 regardless of cumulative years of service computed under 37 U.S.C. 205.

<sup>2</sup> Applies to personnel who have served 4 months or more on active duty.

<sup>3</sup> Applies to personnel who have served less than 4 months on active duty.

Part II—Basic Allowance for Quarters Rates

Pay Grade	Without dependents		With dependents
	Full rate <sup>1</sup>	Partial rate <sup>2</sup>	
<b>Commissioned Officers</b>			
O-10.....	\$613.20	\$50.70	\$754.50
O-9.....	613.20	50.70	754.50
O-8.....	613.20	50.70	754.50
O-7.....	613.20	50.70	754.50
O-6.....	562.50	39.60	679.60
O-5.....	541.80	33.00	654.90
O-4.....	502.20	26.70	577.80
O-3.....	402.60	22.20	478.20
O-2.....	319.50	17.70	408.00
O-1.....	268.80	13.20	364.50
<b>Commissioned Officers with over 4 years' active duty as an enlisted member or warrant officer</b>			
O-3.....	\$434.40	\$22.20	\$513.30
O-2.....	369.60	17.70	463.20
O-1.....	317.70	13.20	428.10
<b>Warrant Officers</b>			
W-4.....	453.30	25.20	511.20
W-3.....	380.70	20.70	468.60
W-2.....	337.80	15.90	430.80
W-1.....	283.20	13.80	372.60
<b>Enlisted members</b>			
E-9.....	372.00	18.60	490.50
E-8.....	342.00	15.30	452.10
E-7.....	291.90	12.00	420.30
E-6.....	264.00	9.90	387.90
E-5.....	243.60	8.70	348.90
E-4.....	212.10	8.10	303.60
E-3.....	208.20	7.80	282.30
E-2.....	169.20	7.20	268.80
E-1.....	150.30	6.90	268.80

<sup>1</sup> Payment of the full rate of basic allowance for quarters at these rates to members of the uniformed service without dependents is authorized by title 37, United States Code, and Part IV of Executive Order 11157, as amended.

<sup>2</sup> Payment of the partial rate of basic allowance for quarters at these rates to members of the uniformed services without dependents who, under 37 U.S.C. 403(b) or 403(c), are not entitled to the full rate of basic allowance for quarters, is authorized by 37 U.S.C. 1009(d) and part IV of Executive Order 11157, as amended.

Part III—Basic Allowance for Subsistence Rates

Officers (per month).....	\$119.61
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Enlisted Members (per day)	E-1 (less than 4 months' active duty)	All Other Enlisted
When on leave or authorized to mess separately .....	\$5.27	\$5.70
When rations in-kind are not available.....	5.95	6.44
When assigned to duty under emergency conditions where no messing facilities of the United States are available.....	7.89	8.53

#### Part IV—Rate of Monthly Cadet or Midshipman Pay

The rate of monthly cadet or midshipman pay authorized by section 203(c)(1) of title 37, United States Code, is \$525.00.

Executive Order 12664 of January 6, 1989

### Establishing an Emergency Board To Investigate a Dispute Between the Port Authority Trans-Hudson Corporation and Certain of Its Employees Represented by the Brotherhood of Locomotive Engineers

A dispute exists between the Port Authority Trans-Hudson Corporation and certain of its employees represented by the Brotherhood of Locomotive Engineers.

The dispute has not heretofore been completely adjusted under the provisions of the Railway Labor Act, as amended (the "Act").

A party empowered by the Act has requested that the President establish an emergency board pursuant to Section 9A of the Act (45 U.S.C. section 159a).

Section 9A(e) of the Act provides that the President, upon such a request, shall appoint a second emergency board to investigate and report on the dispute.

NOW, THEREFORE, by the authority vested in me by Section 9A of the Act, it is hereby ordered as follows:

**Section 1. *Establishment of Board.*** There is established, effective January 7, 1989, a board of three members to be appointed by the President to investigate this dispute. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The board shall perform its functions subject to the availability of funds.

**Sec. 2. *Report.*** Within 30 days after creation of the board, the parties to the dispute shall submit to the board final offers for settlement of the dispute. Within 30 days after submission of final offers for settlement of the dispute, the board shall submit a report to the President setting forth its selection of the most reasonable offer.



**Sec. 3. *Maintaining Conditions.*** As provided by Section 9A(h) of the Act, from the time a request to establish a board is made until 60 days after the board makes its report, no change, except by agreement, shall be made by the parties in the conditions out of which the dispute arose.

**Sec. 4. *Expiration.*** The board shall terminate upon the submission of the report provided for in Section 2 of this Order.

RONALD REAGAN

THE WHITE HOUSE,

*January 6, 1989.*

Editorial note: For White House announcements, released Jan. 6 and Jan. 13, 1989, on the establishment of Emergency Board No. 218 and the appointment of its members, see the *Weekly Compilation of Presidential Documents* (vol. 25, pp. 15 and 66). For a White House statement, dated Mar. 13, 1989, on the report of Emergency Board No. 218, see p. 343 of the *Compilation*.

**Executive Order 12665 of January 12, 1989**

### **Amending Executive Order No. 12658, President's Commission on Catastrophic Nuclear Accidents**

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including Public Law 100-408, and in order to increase the membership of the President's Commission on Catastrophic Nuclear Accidents to eleven members, it is hereby ordered that the number "nine," which is found in the second sentence of section 1 of Executive Order No. 12658, is deleted, and the number "eleven" is substituted in lieu thereof.

RONALD REAGAN

THE WHITE HOUSE,

*January 12, 1989.*

**Executive Order 12666 of January 12, 1989**

### **Exclusions From the Federal Labor-Management Relations Program**

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including Chapter 71 of title 5 of the United States Code, and having determined, under section 7103(b)(1) of said Chapter, that the subdivisions of the Federal Aviation Administration, Department of Transportation, listed below have as a primary function intelligence, counterintelligence, investigative, or national security work, and having determined that the provisions of Chapter 71 of title 5 of the United States Code cannot be applied to the subdivisions listed below in a manner

consistent with national security requirements and considerations, it is hereby ordered that Executive Order No. 12171, as amended, is further amended to add the following subsection:

"1-213. The subdivisions of the Federal Aviation Administration, Department of Transportation:

(a) Federal Air Marshal Branch, International Civil Aviation Security Division, Office of Civil Aviation Security.

(b) Units composed of Civil Aviation Security Inspectors in Civil Aviation Security divisions whose responsibilities require Federal air marshal functions."

RONALD REAGAN

THE WHITE HOUSE,

January 12, 1989.

#### Executive Order 12667 of January 18, 1989

### Presidential Records

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish policies and procedures governing the assertion of Executive privilege by incumbent and former Presidents in connection with the release of Presidential records by the National Archives and Records Administration pursuant to the Presidential Records Act of 1978, it is hereby ordered as follows:

**Section 1. Definitions.** For purposes of this Order:

(a) "Archivist" refers to the Archivist of the United States or his designee.

(b) "NARA" refers to the National Archives and Records Administration.

(c) "Presidential Records Act" refers to the Presidential Records Act of 1978 (Pub. L. No. 95-591, 92 Stat. 2523-27, as amended by Pub. L. No. 98-497, 98 Stat. 2287), codified at 44 U.S.C. 2201-2207.

(d) "NARA regulations" refers to the NARA regulations implementing the Presidential Records Act. 53 Fed. Reg. 50404 (1988), codified at 36 C.F.R. Part 1270.

(e) "Presidential records" refers to those documentary materials maintained by NARA pursuant to the Presidential Records Act and the NARA regulations.

(f) "Former President" refers to the former President during whose term or terms of office particular Presidential records were created.

(g) A "substantial question of Executive privilege" exists if NARA's disclosure of Presidential records might impair the national security (including the conduct of foreign relations), law enforcement, or the deliberative processes of the Executive branch.

(h) A "final court order" is a court order from which no appeal may be taken.

**Sec. 2. *Notice of Intent to Disclose Presidential Records.***

(a) When the Archivist provides notice to the incumbent and former Presidents of his intent to disclose Presidential records pursuant to section 1270.46 of the NARA regulations, the Archivist, utilizing any guidelines provided by the incumbent and former Presidents, shall identify any specific materials, the disclosure of which he believes may raise a substantial question of Executive privilege. However, nothing in this Order is intended to affect the right of the incumbent or former Presidents to invoke Executive privilege with respect to materials not identified by the Archivist. Copies of the notice for the incumbent President shall be delivered to the President (through the Counsel to the President) and the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel). The copy of the notice for the former President shall be delivered to the former President or his designated representative.

(b) Upon the passage of 30 days after receipt by the incumbent and former Presidents of a notice of intent to disclose Presidential records, the Archivist may disclose the records covered by the notice, unless during that time period the Archivist has received a claim of Executive privilege by the incumbent or former President or the Archivist has been instructed by the incumbent President or his designee to extend the time period. If a shorter time period is required under the circumstances set forth in section 1270.44 of the NARA regulations, the Archivist shall so indicate in the notice.

**Sec. 3. *Claim of Executive Privilege by Incumbent President.***

(a) Upon receipt of a notice of intent to disclose Presidential records, the Attorney General (directly or through the Assistant Attorney General for the Office of Legal Counsel) and the Counsel to the President shall review as they deem appropriate the records covered by the notice and consult with each other, the Archivist, and such other Federal agencies as they deem appropriate concerning whether invocation of Executive privilege is justified.

(b) The Attorney General and the Counsel to the President, in the exercise of their discretion and after appropriate review and consultation under subsection (a) of this section, may jointly determine that invocation of Executive privilege is not justified. The Archivist shall be promptly notified of any such determination.

(c) If after appropriate review and consultation under subsection (a) of this section, either the Attorney General or the Counsel to the President believes that the circumstances justify invocation of Executive privilege, the issue shall be presented to the President by the Counsel to the President and the Attorney General.

(d) If the President decides to invoke Executive privilege, the Counsel to the President shall notify the former President, the Archivist, and the Attorney General in writing of the claim of privilege and the specific Presidential records to which it relates. After receiving such notice, the Archivist shall not disclose the privileged records unless directed to do so by an incumbent President or by a final court order.

**Sec. 4. *Claim of Executive Privilege by Former President.***

(a) Upon receipt of a claim of Executive privilege by a former President, the Archivist shall consult with the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel), the Counsel to the President, and such other Federal agencies as he deems appropriate concerning the Archivist's determination as to whether to honor the former President's claim of privilege or instead to disclose the Presidential records notwithstanding the claim of privilege. Any determination under section 3 of this Order that Executive privilege shall not be invoked by the incumbent President shall not prejudice the Archivist's determination with respect to the former President's claim of privilege.

(b) In making the determination referred to in subsection (a) of this section, the Archivist shall abide by any instructions given him by the incumbent President or his designee unless otherwise directed by a final court order. The Archivist shall notify the incumbent and former Presidents of his determination at least 30 days prior to disclosure of the Presidential records, unless a shorter time period is required in the circumstances set forth in section 1270.44 of the NARA regulations. Copies of the notice for the incumbent President shall be delivered to the President (through the Counsel to the President) and the Attorney General (through the Assistant Attorney General for the Office of Legal Counsel). The copy of the notice for the former President shall be delivered to the former President or his designated representative.

**Sec. 5. *Judicial Review.*** This Order is intended only to improve the internal management of the Executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

RONALD REAGAN

THE WHITE HOUSE,  
*January 18, 1989.*

Executive Order 12668 of January 25, 1989

**President's Commission on Federal Ethics Law Reform**

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), an advisory committee on reform of the Federal ethics laws, it is hereby ordered as follows:

**Section 1. *Establishment.*** (a) There is established the President's Commission on Federal Ethics Law Reform. The Commission shall be composed of not more than eight members appointed by the President. These members shall be distinguished individuals with broad experience in ethics and public service.

(b) The President shall designate a Chairman and Vice Chairman from among the members of the Commission.

**Sec. 2. *Functions.*** (a) The Commission shall review Federal ethics laws, Executive orders, and policies and shall make recommendations to the President for legislative, administrative, and other reforms needed to ensure full public confidence in the integrity of all Federal public officials and employees.

(b) The Commission shall report to the President by March 9, 1989, and shall provide a copy of its report to the Attorney General.

**Sec. 3. *Administration.*** (a) The heads of Executive agencies and the Director of the Office of Government Ethics, to the extent permitted by law, shall provide the Commission such information, advice, and assistance as it may require for purposes of carrying out its functions.

(b) Members of the Commission shall serve without compensation for their work on the Commission. However, while engaged in the work of the Commission, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (including 5 U.S.C. 5701-5707), to the extent funds are available therefor.

(c) The Attorney General, to the extent permitted by law and subject to the availability of appropriations, shall provide the Commission with such administrative services, funds, facilities, staff, and other support services as may be necessary for the performance of its functions.

**Sec. 4. *Counsel to the President.*** Following the submission of the Commission's report, the Counsel to the President shall provide the President with periodic reports regarding the implementation of reforms to Federal ethics laws, Executive orders, and policies.

**Sec. 5. *General.*** (a) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Commission, shall be performed by the Attorney General, in accordance with guidelines and procedures established by the Administrator of General Services.

(b) The Commission shall terminate 30 days after its report, unless sooner extended.

GEORGE BUSH

THE WHITE HOUSE,  
*January 25, 1989.*

**Editorial note:** For the President's remarks on signing Executive Order 12668 and a White House announcement on the appointment of the membership of the Commission, both released Jan. 25, 1989, see the *Weekly Compilation of Presidential Documents* (vol. 25, pp. 113 and 132).

Executive Order 12669 of February 20, 1989

### Organization of Eastern Caribbean States

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including Section 1 of the International Organizations Immunities Act (22 U.S.C. 288) and Public Law 100-362; 102 Stat. 819, July 6, 1988, it is hereby ordered that the Organization of Eastern Caribbean States is designated as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act.

This Order is not intended to abridge in any respect the privileges, exemptions, or immunities that the Organization of Eastern Caribbean States may have acquired or may acquire by international agreements or by congressional action.

GEORGE BUSH

THE WHITE HOUSE,

*February 20, 1989.*

Executive Order 12670 of March 9, 1989

### Nuclear Cooperation With EURATOM

By the authority vested in me as President by the Constitution and laws of the United States of America, including Section 126a(2) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2155(a)(2)), and having determined that, upon the expiration of the period specified in the first proviso to Section 126a(2) of such Act and extended for 12-month periods by Executive Orders Nos. 12193, 12295, 12351, 12409, 12463, 12506, 12554, 12587, and 12629, failure to continue peaceful nuclear cooperation with the European Atomic Energy Community would be seriously prejudicial to the achievement of U.S. non-proliferation objectives and would otherwise jeopardize the common defense and security of the United States, and having notified the Congress of this determination, I hereby extend the duration of that period to March 10, 1990.

GEORGE BUSH

THE WHITE HOUSE,

*March 9, 1989.*

Editorial note: For the text of the President's letters to the Speaker of the House of Representatives and the President of the Senate, dated Mar. 10, 1989, on nuclear cooperation with EURATOM, see the *Weekly Compilation of Presidential Documents* (vol. 25, p. 308).

Executive Order 12671 of March 14, 1989

**Exclusion of the Customs Office of Enforcement from the Federal Labor-Management Relations Program**

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including Chapter 71 of Title 5 of the United States Code, and having determined, under Section 7103(b)(1) of said Chapter, that the Office of Enforcement (Headquarters and Regional Components), U.S. Customs Service, has as a primary function intelligence, counterintelligence, investigative, or national security work, and having determined that the provisions of Chapter 71 of Title 5 of the United States Code cannot be applied to the Office of Enforcement (Headquarters and Regional Components), U.S. Customs Service, in a manner consistent with national security requirements and considerations, it is hereby ordered that Executive Order No. 12171, as amended, is further amended by deleting Section 1-203(g) and inserting in its place:

"1-203(g). The Office of Enforcement (Headquarters and Regional Components), U.S. Customs Service."

GEORGE BUSH

THE WHITE HOUSE,  
*March 14, 1989.*

Executive Order 12672 of March 21, 1989

**Interagency Committee on Handicapped Employees**

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 501(a) of the Rehabilitation Act of 1973 (Public Law 93-112), as amended, it is hereby ordered that Section 1 of Executive Order No. 11830 of January 9, 1975, as amended, is further amended by substituting a new subsection (10) stating "Postmaster General of the United States Postal Service" for the current subsection (10) and adding a new subsection (11) stating "Chairman of the President's Committee on Employment of People with Disabilities" and a new subsection (12) stating "Such other members as the President may designate."

GEORGE BUSH

THE WHITE HOUSE,  
*March 21, 1989.*

Executive Order 12673 of March 23, 1989

## Delegation of Disaster Relief and Emergency Assistance Functions

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 *et seq.*), and in order to conform delegations of authority to recent legislation, it is hereby ordered as follows:

**Section 1.** Section 4–203 of Executive Order No. 12148 is amended to read:

Section 4–203. The functions vested in the President by the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (42 U.S.C. 5121 *et seq.*), except those functions vested in the President by Section 401 (relating to the declaration of major disasters and emergencies), Section 501 (relating to the declaration of emergencies), Section 405 (relating to the repair, reconstruction, restoration, or replacement of Federal facilities), and Section 412 (relating to food coupons and distribution), are hereby delegated to the Director of the Federal Emergency Management Agency.

**Sec. 2.** Section 3 of Executive Order No. 11795 is amended by removing the words "Section 409" and inserting "Section 412" in place thereof.

**Sec. 3.** The functions vested in the President by Section 103(e)(2) of the Disaster Relief and Emergency Assistance Amendments of 1988, Public Law 100–707 (relating to the transmission of a report to the Committee on Public Works and Transportation of the House of Representatives and to the Committee on Environment and Public Works of the Senate), are hereby delegated to the Director of the Federal Emergency Management Agency.

**Sec. 4.** The functions vested in the President by Section 110 of the Disaster Relief and Emergency Assistance Amendments of 1988, Public Law 100–707, are hereby delegated to the Director of the Federal Emergency Management Agency.

**Sec. 5.** The functions vested in the President by Section 113 of the Disaster Relief and Emergency Assistance Amendments of 1988, Public Law 100–707, are hereby delegated to the Director of the Federal Emergency Management Agency.

**Sec. 6.** The amendments to Executive Order No. 12148 that are made by Section 1 of this Executive Order shall not affect the administration of any assistance for major disasters or emergencies declared by the President before the effective date of "The Disaster Relief and Emergency Assistance Amendments of 1988."

GEORGE BUSH

THE WHITE HOUSE,  
March 23, 1989.



Executive Order 12674 of April 12, 1989

## Principles of Ethical Conduct for Government Officers and Employees

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish fair and exacting standards of ethical conduct for all executive branch employees, it is hereby ordered as follows:

### PART I—PRINCIPLES OF ETHICAL CONDUCT

**Section 101. *Principles of Ethical Conduct.*** To ensure that every citizen can have complete confidence in the integrity of the Federal Government, each Federal employee shall respect and adhere to the fundamental principles of ethical service as implemented in regulations promulgated under sections 201 and 301 of this order:

- (a) Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain.
- (b) Employees shall not hold financial interests that conflict with the conscientious performance of duty.
- (c) Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.
- (d) An employee shall not, except pursuant to such reasonable exceptions as are provided by regulation, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.
- (e) Employees shall put forth honest effort in the performance of their duties.
- (f) Employees shall make no unauthorized commitments or promises of any kind purporting to bind the Government.
- (g) Employees shall not use public office for private gain.
- (h) Employees shall act impartially and not give preferential treatment to any private organization or individual.
- (i) Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.
- (j) Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.
- (k) Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.
- (l) Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those—such as Federal, State, or local taxes—that are imposed by law.

(m) Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

(n) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards promulgated pursuant to this order.

**Sec. 102. *Limitations on Outside Earned Income.*** No employee who is appointed to a full-time noncareer position in the executive branch, including all full-time employees in the White House Office and the Office of Policy Development, shall receive any earned income for any outside employment or activity performed during that Presidential appointment.

#### PART II—OFFICE OF GOVERNMENT ETHICS AUTHORITY

**Sec. 201. *The Office of Government Ethics.*** The Office of Government Ethics shall be responsible for administering this order by:

(a) Promulgating, in consultation with the Attorney General and the Office of Personnel Management, regulations that establish a single, comprehensive, and clear set of executive-branch standards of conduct that shall be objective, reasonable, and enforceable.

(b) Developing, disseminating, and periodically updating an ethics reference manual for employees of the executive branch describing the applicable statutes, rules, decisions, and policies.

(c) Promulgating, with the concurrence of the Attorney General, regulations interpreting the provisions of the general conflict-of-interest statute, section 208 of title 18, United States Code, and the statute prohibiting supplementation of salaries, section 209 of title 18, United States Code.

(d) Promulgating, in consultation with the Attorney General and the Office of Personnel Management, regulations establishing a system of nonpublic (confidential) financial disclosure by executive branch employees to complement the system of public disclosure under the Ethics in Government Act of 1978. Such regulations shall include criteria to guide agencies in determining which employees shall submit these reports.

(e) Ensuring that any implementing regulations issued by agencies under this order are consistent with and promulgated in accordance with this order.

**Sec. 202. *Executive Office of the President.*** In that the agencies within the Executive Office of the President (EOP) currently exercise functions that are not distinct and separate from each other within the meaning and for the purposes of section 207(e) of title 18, United States Code, those agencies shall be treated as one agency under section 207(c) of title 18, United States Code.

#### PART III—AGENCY RESPONSIBILITIES

**Sec. 301. *Agency Responsibilities.*** Each agency head is directed to:

(a) Supplement, as necessary and appropriate, the comprehensive executive-branch-wide regulations of the Office of Government Ethics, with regulations of special applicability to the particular functions and activities of

that agency. Any supplementary regulations shall be prepared as addenda to the branch-wide regulations and promulgated with the concurrence of the Office of Government Ethics.

(b) Ensure the review by all employees of this order and regulations promulgated pursuant to the order.

(c) Coordinate with the Office of Government Ethics in developing annual agency ethics training plans. Such training shall include mandatory annual briefings on ethics and standards of conduct for all employees appointed by the President, all employees in the Executive Office of the President, all officials required to file public or nonpublic financial disclosure reports, all employees who are contracting officers and procurement officials, and any other employees designated by the agency head.

(d) Where practicable, consult formally or informally with the Office of Government Ethics prior to granting any exemption under section 208 of title 18, United States Code, and provide the Director of the Office of Government Ethics a copy of any exemption granted.

(e) Ensure that the rank, responsibilities, authority, staffing, and resources of the Designated Agency Ethics Official are sufficient to ensure the effectiveness of the agency ethics program. Support should include the provision of a separate budget line item for ethics activities, where practicable.

#### PART IV—DELEGATIONS OF AUTHORITY

**Sec. 401. *Delegations to Agency Heads.*** Except as provided in section 402 and except in the case of the head of an agency, the authority of the President under section 208(b) of title 18, United States Code, to grant exemptions to individuals, is delegated to the head of the agency in which an individual requiring an exemption is employed or to which the individual is attached for purposes of administration.

**Sec. 402. *Delegations to the Counsel to the President.*** The authority of the President under section 208(b) of title 18, United States Code, to grant exemptions for Presidential appointees to committees, commissions, boards, or similar groups established by the President is delegated to the Counsel to the President.

**Sec. 403. *Delegation Regarding Civil Service.*** The Office of Personnel Management and the Office of Government Ethics, as appropriate, are delegated the authority vested in the President by 5 U.S.C. 7301 to establish general regulations for the implementation of this Executive order.

#### PART V—GENERAL PROVISIONS

**Sec. 501. *Revocations.*** The following are hereby revoked:

(a) Executive Order No. 11222 of May 8, 1965.

(b) Executive Order No. 12565 of September 25, 1986.

**Sec. 502. *Savings Provisions.***

(a) All actions already taken by the President or by his delegates concerning matters affected by this order and in force when this order is issued, including any regulations issued under Executive Order 11222, Executive Order 12565 or statutory authority, shall, except as they are irreconcilable

with the provisions of this order or terminate by operation of law or by Presidential action, remain in effect until properly amended, modified, or revoked pursuant to the authority conferred by this order or any regulations promulgated under this order. Notwithstanding anything in section 102 of this order, employees may carry out preexisting contractual obligations entered into before the date of this order.

(b) Financial reports filed in confidence (pursuant to the authority of Executive Order No. 11222, 5 C.F.R. Part 735, and individual agency regulations) shall continue to be held in confidence.

**Sec. 503. Definitions.** For purposes of this order, the term:

(a) "Contracting officers and procurement officials" means all such officers and officials as defined in the Office of Federal Procurement Policy Act Amendments of 1988.

(b) "Employee" means any officer or employee of an agency, including a special Government employee.

(c) "Agency" means any executive agency as defined in 5 U.S.C. 105, including any executive department as defined in 5 U.S.C. 101, Government corporation as defined in 5 U.S.C. 103, or an independent establishment in the executive branch as defined in 5 U.S.C. 104 (other than the General Accounting Office), and the United States Postal Service and Postal Rate Commission.

(d) "Head of an agency" means, in the case of an agency headed by more than one person, the chair or comparable member of such agency.

(e) "Special Government employee" means a special Government employee as defined in 18 U.S.C. 202(a).

**Sec. 504. Judicial Review.** This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

GEORGE BUSH

THE WHITE HOUSE,

*April 12, 1989.*

**Editorial note:** For the President's message to the Congress and a fact sheet, both dated April 12, 1989, on the ethics guidelines, see the *Weekly Compilation of Presidential Documents* (vol. 25, pp. 525 and 529).

**Executive Order 12675 of April 20, 1989**

### **Establishing the National Space Council**

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to provide a coordinated proc-

ess for developing a national space policy and strategy and for monitoring its implementation, it is hereby ordered as follows:

**Section 1. *Establishment and Composition of the National Space Council.***

- (a) There is established the National Space Council ("the Council").
- (b) The Council shall be composed of the following members:
- (1) The Vice President, who shall be Chairman of the Council;
  - (2) The Secretary of State;
  - (3) The Secretary of the Treasury;
  - (4) The Secretary of Defense;
  - (5) The Secretary of Commerce;
  - (6) The Secretary of Transportation;
  - (7) The Director of the Office of Management and Budget;
  - (8) The Chief of Staff to the President;
  - (9) The Assistant to the President for National Security Affairs;
  - (10) The Assistant to the President for Science and Technology;
  - (11) The Director of Central Intelligence; and
  - (12) The Administrator of the National Aeronautics and Space Administration.
- (c) The Chairman shall, from time to time, invite the following to participate in meetings of the Council:
- (1) The Chairman of the Joint Chiefs of Staff; and
  - (2) The heads of other executive departments and agencies and other senior officials in the Executive Office of the President.

**Sec. 2. *Functions of the Council.*** (a) The Council shall advise and assist the President on national space policy and strategy, and perform such other duties as the President may from time to time prescribe.

- (b) In addition, the Council is directed to:
- (1) review United States Government space policy, including long-range goals, and develop a strategy for national space activities;
  - (2) develop recommendations for the President on space policy and space-related issues;
  - (3) monitor and coordinate implementation of the objectives of the President's national space policy by executive departments and agencies; and
  - (4) foster close coordination, cooperation, and technology and information exchange among the civil, national security, and commercial space sectors, and facilitate resolution of differences concerning major space and space-related policy issues.
- (c) The creation and operation of the Council shall not interfere with existing lines of authority and responsibilities in the departments and agencies.

**Sec. 3. *Responsibilities of the Chairman.*** (a) The Chairman shall serve as the President's principal advisor on national space policy and strategy.

(b) The Chairman shall, in consultation with the members of the Council, establish procedures for the Council and establish the agenda for Council activities.

(c) The Chairman shall report to the President on the activities and recommendations of the Council. The Chairman shall advise the Council as appropriate regarding the President's directions with respect to the Council's activities and national space policy generally.

(d) The Chairman shall authorize the establishment of such committees of the Council, including an executive committee, and of such working groups, composed of senior designees of the Council members and of other officials invited to participate in Council meetings, as he deems necessary or appropriate for the efficient conduct of Council functions.

**Sec. 4. *National Space Policy Planning Process.*** (a) The Council will establish a process for developing and monitoring the implementation of national space policy and strategy.

(b) To implement this process, each agency represented on the Council shall provide such information regarding its current and planned space activities as the Chairman shall request.

(c) The head of each executive department and agency shall ensure that its space-related activities conform to national space policy and strategy.

**Sec. 5. *Establishment of Vice President's Space Policy Advisory Board.*** (a) The Vice President shall establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), governing Presidential advisory committees, an advisory committee of private citizens to advise the Vice President on the space policy of the United States ("the Board").

(b) The Board shall be composed and function as follows:

(1) The Board shall be composed of members appointed by the Vice President.

(2) The Vice President shall designate a Chairman from among the members of the Board. The Executive Secretary of the National Space Council shall serve as the Secretary to the Board.

(3) Members of the Board shall serve without any compensation for their work on the Board. However, they shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by law, for persons serving intermittently in the Government service (5 U.S.C. 5701–5707), to the extent funds are available for that purpose.

(4) Necessary expenses of the Board shall be paid from funds available for the expenses of the National Space Council.

(5) Notwithstanding the provisions of any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended, except that of reporting annually to the Congress, which are applicable to the Board established by this order, shall be performed on a reimbursable basis by the Director of the Office of Administration in the Ex-

Executive Office of the President, in accordance with the guidelines and procedures established by the Administrator of General Services.

**Sec. 6. *Microgravity Research Board.*** Section 1(c) of Executive Order No. 12660 is amended by deleting "Economic Policy Council" and inserting in lieu thereof "National Space Council."

**Sec. 7. *Administrative Provisions.*** (a) The Office of Administration in the Executive Office of the President shall provide the Council with such administrative support on a reimbursable basis as may be necessary for the performance of the functions of the Council.

(b) The President shall appoint an Executive Secretary who shall appoint such staff as may be necessary to assist in the performance of the Council's functions.

(c) All Federal departments, agencies, and interagency councils and committees having an impact on space policy shall extend, as appropriate, such cooperation and assistance to the Council as is necessary to carry out its responsibilities under this order.

(d) The head of each agency serving on the Council or represented on any working group or committee of the Council shall provide such administrative support as may be necessary, in accordance with law and subject to the availability of appropriations, to enable the agency head or its representative to carry out his responsibilities.

**Sec. 8. *Report.*** The Council shall submit an annual report setting forth its assessment of and recommendations for the space policy and strategy of the United States Government.

GEORGE BUSH

THE WHITE HOUSE,

April 20, 1989.

**Editorial note:** For a White House announcement, dated Mar. 1, 1989, on the appointment of the director of the staff of the National Space Council, and the President's remarks of April 20, 1989, on the establishment of the Council, see the *Weekly Compilation of Presidential Documents* (vol. 25, pp. 272 and 588).

**Executive Order 12676 of April 26, 1989**

### **Delegating Authority To Provide Assistance for the Nicaraguan Resistance**

By the authority vested in me as President by the Constitution and laws of the United States of America, including Public Law 101-14, to implement the Bipartisan Accord on Central America of March 24, 1989 ("Act"), the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 *et seq.*), Central American Peace Assistance Act, Public Law 100-276, and section 301 of title 3 of the United States Code, and in order to delegate certain functions concerning the designation of amounts to be transferred from specified ac-

counts, the transfer of funds, and related personnel matters, it is hereby ordered as follows:

**Section 1.** The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to perform the functions, vested in the President by sections 2 and 4 of the Act, of determining the amounts of unobligated funds that are to be transferred to the Agency for International Development, and of designating the accounts to which they are to be transferred.

**Sec. 2.** The Secretary of Defense, in consultation with the Administrator of the Agency for International Development, is authorized to perform the functions, vested in the President by sections 2 and 4 of the Act, of transferring unobligated funds from the accounts specified in section 6 of the Act.

**Sec. 3.** The Secretary of Defense is authorized to perform the function of designating the amounts of unobligated funds from accounts specified in section 6 of the Act to be transferred.

**Sec. 4.** The Director of the Office of Management and Budget is authorized to perform the function of approving the detailing of personnel to the Agency for International Development. This authority is vested in the President by section 4(d) of Public Law 100-276 and made applicable by section 8(c) of the Act.

**Sec. 5.** This order shall be effective immediately.

**Sec. 6.** Executive Order No. 12654 is revoked.

**GEORGE BUSH**

**THE WHITE HOUSE,**

*April 28, 1989.*

**Executive Order 12677 of April 28, 1989**

### **Historically Black Colleges and Universities**

By the authority vested in me as President by the Constitution and laws of the United States of America, in order to advance the development of human potential, to strengthen the capacity of historically Black colleges and universities to provide quality education, and to increase opportunities to participate in and benefit from Federal programs, it is hereby ordered as follows:

**Section 1.** There shall be established in the Department of Education, an Advisory Commission, the President's Board of Advisors on Historically Black Colleges and Universities. The members of the Board shall be appointed by the President. The Secretary of Education, with the advice of the Board of Advisors, shall supervise the annual development of a Federal program designed to achieve an increase in the participation by historically Black colleges and universities in federally sponsored programs. The Board of Advisors will also provide advice on how to increase the private sector role in strengthening historically Black colleges and universities. Particular



emphasis shall be given to facilitating technical, planning, and development advice to historically Black colleges and universities, with the goal of ensuring the long-term viability of these institutions.

**Sec. 2.** The Board of Advisors shall include appropriate representatives of historically Black colleges and universities, of other institutions of higher education, of business and finance, of private foundations, and of secondary education.

**Sec. 3.** The White House Initiative on Historically Black Colleges and Universities, housed in the Department of Education, shall provide the staff, resources, and assistance for the Board of Advisors on Historically Black Colleges and Universities; shall assist the Secretary of Education in the role of liaison between the Executive branch and historically Black colleges and universities; and shall serve the Secretary of Education in carrying out his responsibilities under this order.

**Sec. 4.** Each Executive department and those Executive agencies designated by the Secretary of Education shall establish an annual plan to increase the ability of historically Black colleges and universities to participate in federally sponsored programs. These plans shall describe measurable objectives for proposed agency actions to fulfill this order and shall be submitted at such time and in such form as the Secretary of Education shall designate. In consultation with participating Executive agencies, the Secretary of Education shall review these plans and develop an integrated Annual Federal Plan for Assistance to Historically Black Colleges and Universities for consideration by the President.

**Sec. 5.** The Secretary of Education shall ensure that each president of a historically Black college or university is given the opportunity to comment on the proposed Annual Federal Plan prior to its consideration by the President.

**Sec. 6.** Each participating agency shall submit to the Secretary of Education a midyear progress report and at the end of the year an Annual Performance Report that shall specify agency performance against its measurable objectives.

**Sec. 7.** Every third year, the Secretary of Education shall oversee a special review by every designated Executive department and agency of its programs to determine the extent to which historically Black colleges and universities are given an equal opportunity to participate in federally sponsored programs. This review will examine unintended regulatory barriers, determine the adequacy of announcements of program opportunities of interest to these institutions, and identify ways of eliminating inequalities and disadvantages.

**Sec. 8.** The Board of Advisors, working through the White House Initiative, shall provide advice on how historically Black colleges and universities can achieve greater financial security through the use of improved business, accounting, management, and development techniques. To the maximum extent possible, the Board of Advisors shall enlist the resources and experience of the private sector in providing the assistance. To this end, historically Black colleges and universities shall be given high priority within the White House Office of National Service.

**Sec. 9.** The White House Office of National Service, along with other Federal offices, shall work to encourage the private sector to assist historically Black colleges and universities through increased use of such devices and activities as: (1) private sector matching funds to support increased endowments, (2) private sector task forces for institutions in need of assistance, and (3) private sector expertise to facilitate the development of more effective ways to manage finances, improve information management, strengthen faculties, and improve course offerings. These steps will be taken with the goals of enhancing the career prospects of their graduates and increasing the number of those with careers in science and technology.

**Sec. 10.** In all its endeavors the Board of Advisors shall emphasize ways to support the long-term development plans of each historically Black college and university. The Secretary of Education, with the advice of the Board of Advisors, shall develop alternative sources of faculty talent, particularly in the fields of science and technology, including faculty exchanges and referrals from other institutions of higher education, private sector retirees, Federal employees and retirees, and emeritus faculty members at other institutions of higher education.

**Sec. 11.** The Director of the Office of Personnel Management, in consultation with the Secretary of Education and the Secretary of Labor, shall develop a program to improve recruitment and participation of graduates and undergraduate students of historically Black colleges and universities in part-time and summer positions in the Federal Government.

**Sec. 12.** Each year the Board of Advisors shall report to the President on the progress achieved in enhancing the role and capabilities of historically Black colleges and universities, including an Annual Performance Report on Executive Agency Actions to Assist Historically Black Colleges and Universities that appraises agency actions during the preceding year. The Secretary of Education shall disseminate the annual report to appropriate members of the Executive branch and make every effort to ensure that findings of the Board of Advisors are taken into account in the policies and actions of every Executive agency, including any appropriate recommendations for improving the Federal response directed by this order.

**Sec. 13.** Participating Executive agencies shall submit their annual plans to the Secretary of Education not later than January 15 of each year. The Annual Federal Plans for Assistance to Historically Black Colleges and Universities developed by the Secretary of Education shall be ready for consideration by the President not later than April 30 of each year.

**Sec. 14.** The Secretary of Education is directed to establish an Advisory Commission entitled the President's Board of Advisors on Historically Black Colleges and Universities. Notwithstanding the provisions of any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), which are applicable to the Advisory Commission to be established by this order, shall be performed by the Secretary of Education, in accordance with the guidelines and procedures established by the Administrator of General Services.

Sec. 15. Executive Order No. 12320 of September 15, 1981, is revoked.

GEORGE BUSH

THE WHITE HOUSE,

*April 28, 1989.*

Editorial note: For the President's remarks of Apr. 28, 1989, on signing Executive Order 12677, see the *Weekly Compilation of Presidential Documents* (vol. 25, p. 632).

Executive Order 12678 of April 28, 1989

### Level IV of the Executive Schedule

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 5317 of title 5 of the United States Code, and in order to place an additional position in and to remove obsolete positions from level IV of the Executive Schedule, section 1-101 of Executive Order No. 12154, as amended, is hereby further amended by removing the positions identified as sections 1-101 "(d)" through "(h)" from the order and relettering the remaining sections 1-101 "(i)" and "(j)", sections 1-101 "(d)" and "(e)", respectively, and adding at the end the following new subsection:

"(f) Comptroller of the Department of Defense."

The placements made by this order shall take effect immediately.

GEORGE BUSH

THE WHITE HOUSE,

*April 28, 1989.*

Executive Order 12679 of June 23, 1989

### Level IV of the Executive Schedule

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 5317 of title 5 of the United States Code, and in order to place an additional position in level IV of the Executive Schedule, section 1-101 of Executive Order No. 12154, as amended, is hereby further amended by adding at the end the following new subsection:

"(g) Assistant Secretary of the Air Force (1)."

GEORGE BUSH

THE WHITE HOUSE,

*June 23, 1989.*

Executive Order 12680 of July 5, 1989

### **Administration of Foreign Assistance and Related Functions and Arms Export Controls**

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 621 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2381), and section 301 of Title 3 of the United States Code, and in order to delegate certain functions to the Secretary of State and the Secretary of Defense, it is hereby ordered as follows:

**Section 1.** Section 1-102(a) of Executive Order No. 12163, as amended, is further amended by amending paragraphs (9) and (10) to read as follows:

“(9) section 536 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), to be exercised by the Administrator of the Agency for International Development within IDCA; and

“the first proviso under the heading ‘Population, Development Assistance’ contained in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), to be exercised by the Administrator of the Agency for International Development within IDCA.”

**Sec. 2.** Section 1-201(a) of Executive Order No. 12163, as amended, is further amended by amending paragraphs (26), (27), (28), and (29) to read as follows:

“(26) sections 513, 526, 527, 539, 556, 564, and 565 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461);

“(27) the fourth proviso under the heading ‘Southern Africa, Development Assistance’ contained in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461);

“(28) the proviso relating to tied aid credits under the heading ‘Economic Support Fund’ contained in Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), which shall be exercised in consultation with the Administrator of the Agency for International Development within IDCA;

“(29) subsection (c)(2) under the heading ‘Foreign Military Sales Debt Reform’ contained in Title III of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (Public Law 100-202), and section 573(c) of that Act, both of which shall be exercised in consultation with the Secretary of Defense. In addition, section 573(c) shall be exercised in consultation with the Director of the United States Arms Control and Disarmament Agency;”

**Sec. 3.** Section 1-201(a) of Executive Order No. 12163, as amended, is further amended by inserting the following new paragraphs at the end thereof:

"(30) Section 566(d) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (as enacted in Public Law 100-461), which shall be exercised in consultation with the Secretary of Defense; and

"(31) sections 4101(b), 4205(d), 4307(a), and 4309 of the Anti-Drug Abuse Act of 1988 (Public Law 100-690). The Secretary of State in implementing the functions delegated to him under section 4205(d) shall consult with the Secretary of Defense."

**Sec. 4.** Section 1-301 of Executive Order No. 12163, as amended, is further amended by amending section (f) to read as follows:

"(f) The functions conferred upon the President under section 566(c) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461)."10**Sec. 5** Section 1 of Executive Order No. 11958, as amended, is further amended:

(1) by inserting in the first paragraph "and related legislation," after "the Act,".

(2) by inserting the following new paragraphs at the end of the section:

"(q) Those under Section 2(b)(6) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(6)) to the Secretary of State."

"(r) Those under Section 588(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), to the Secretary of Defense, except with respect to the determination of an emergency as provided by subsection (b)(3). The Secretary of Defense in implementation of the functions delegated to him under section 588(b) shall consult with the Secretary of State."

**Sec. 6.** Section 1(e) of Executive Order No. 11958, as amended, is further amended by inserting "and section 580 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461)," after "Section 23 of the Act".

**Sec. 7.** Section 1(1) of Executive Order No. 11958, as amended, is further amended by striking out the semicolon at the end of the second sentence of paragraph (1) and inserting a period in lieu thereof, and by adding the following sentence at the end of paragraph (1):

"The authority to undertake activities to ensure compliance with established export conditions may be redelegated to the Secretary of Defense, or to the head of another department or agency as appropriate, which shall exercise such functions in consultation with the Secretary of State;".

**Sec. 8.** Section 2(a) of Executive Order No. 11958, as amended, is further amended by deleting "and" after "International Development Cooperation Agency" and inserting "and the Chairman of the Export-Import Bank," after "Arms Control and Disarmament Agency,".

GEORGE BUSH

THE WHITE HOUSE,

*July 5, 1989.*

Executive Order 12681 of July 6, 1989

### **Exclusions From the Federal Labor-Management Relations Program**

By the authority vested in me as President by the Constitution and laws of the United States of America, including Chapter 71 of title 5 of the United States Code, and having determined under section 7103(b)(1) of said Chapter, that certain subdivisions of the National Preparedness Directorate of the Federal Emergency Management Agency have as a primary function intelligence, counterintelligence, investigative, or national security work, and having determined that the provisions of chapter 71 of title 5 of the United States Code cannot be applied to certain subdivisions of the National Preparedness Directorate of the Federal Emergency Management Agency, in a manner consistent with national security requirements and considerations, it is hereby ordered that Executive Order No. 12171, as amended, is further amended by adding to Section 1-2 "Exclusions" the following new subsection 1-214:

"1-214. Subdivisions of the National Preparedness Directorate of the Federal Emergency Management Agency.

"(a) Office of Associate Director.

"(b) Office of Analysis and Support.

"(c) Office of Mobilization Preparedness.

"(d) The following offices of the Office of Systems Engineering.

"(1) Office of the Assistant Associate Director.

"(2) NEMS-DCWS Program Office.

"(3) Systems Design Division.

"(4) Telecommunications Systems Development Division.

"(5) Systems Support Division.

"(e) The following offices of the Office of Operations.

"(1) Office of the Assistant Associate Director.

"(2) Planning Division.

"(3) The following branches of the Readiness Division.

"(A) Exercise Branch.

"(B) Operations Branch.

"(C) National Warning Center.

"(D) Alternate National Warning Center.

"(4) Mobile Emergency Response Support Operations Divisions.

"(5) Federal Agency Support and Coordination Division.

"(f) The following offices in the Office of Information Resource Management.

"(1) Office of the Assistant Associate Director.

"(2) Information Systems Policy, Planning and Evaluation Policy and Planning Branch.

"(3) Information Systems Application Branch.

"(4) EICC Support Center."

GEORGE BUSH

THE WHITE HOUSE,

*July 6, 1989.*

Executive Order 12682 of July 7, 1989

### Commission on Alternative Utilization of Military Facilities

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 2819 of the Military Construction Authorization Act, 1989 (Public Law 100-456), it is hereby ordered as follows:

**Section 1.** (a) I hereby establish the Commission on Alternative Utilization of Military Facilities ("Commission").

(b) The Commission shall consist of a representative of the Department of Defense designated by the Secretary of Defense, a representative of the Federal Bureau of Prisons designated by the Attorney General, a representative of the National Institute on Drug Abuse designated by the Secretary of Health and Human Services, a representative of the General Services Administration designated by the Administrator of General Services, a representative of the Department of Housing and Urban Development designated by the Secretary of Housing and Urban Development, and a representative of the Office of National Drug Control Policy designated by the Director of the Office of National Drug Control Policy. The representative of the Department of Defense shall chair the Commission.

(c) The Secretary of Defense shall provide such personnel and support to the Commission as the Secretary determines is necessary to accomplish its mission.

**Sec. 2.** (a) Subject to subsection (b), the Secretary of Defense shall prepare and submit to the Commission reports listing active and nonactive military facilities that are underutilized in whole or in part or otherwise excess to the needs of the Department of Defense.

(b) The first such report shall be prepared and submitted as soon as possible for inclusion in the first report of the Commission. The second report shall be prepared and submitted on January 30, 1990, and succeeding reports shall be prepared and submitted every other year commencing on January 30, 1992, and continuing until January 30, 1996.

**Sec. 3.** (a) Subject to subsection (b), the Commission shall submit a report to the President and then to the Congress that identifies those facilities, or

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parts of facilities, from the list submitted by the Secretary of Defense under Section 2 that could be effectively utilized or renovated to serve as:

- (1) minimum security facilities for nonviolent prisoners,
- (2) drug treatment facilities for nonviolent drug abusers, and
- (3) facilities to assist the homeless.

(b) The first report of the Commission shall be submitted to the President and then to the Congress by September 1, 1989. The second, and succeeding reports of the Commission, shall be submitted to the President and then to the Congress no later than September 1, 1990, and every second year through September 1, 1996.

**GEORGE BUSH**

**THE WHITE HOUSE,**

*July 7, 1989.*

**Executive Order 12683 of July 21, 1989**

**Prescribing Regulations Relating to Certain Travel Time of Members of the Uniformed Services Called to Active Duty**

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 204(b) of title 37, United States Code, it is hereby ordered that Executive Order No. 10153, as amended by Executive Order No. 10649, is further amended as follows:

1. Section 1 is amended to read:

"Section 1. For travel from home to first duty station and from the last duty station to home, the travel time included as active duty shall be the same as the allowable travel time based on the mode(s) of travel authorized, not to exceed actual travel time. The travel time included as active duty shall be computed on the basis of regulations prescribed by the Secretaries concerned, which regulations shall be uniform among the uniformed services. The distance traveled shall be computed on the basis of distances established by the official mileage tables in use by the uniformed services."

2. Section 2 is deleted, and Sec. 3 and Sec. 4 are renumbered Sec. 2 and Sec. 3, respectively.

**GEORGE BUSH**

**THE WHITE HOUSE,**

*July 21, 1989.*



Executive Order 12684 of July 27, 1989

## Conforming the Central Intelligence Agency and Civil Service Retirement and Disability Systems

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 292 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended (50 U.S.C. 403 note) (the "Act"), and in order to conform the Central Intelligence Agency Retirement and Disability System to certain amendments to the Civil Service Retirement and Disability System, it is hereby ordered as follows:

**Section 1.** The Director of Central Intelligence shall maintain the Central Intelligence Agency Retirement and Disability System in accordance with the following principles:

(a) In computing an annuity for an employee whose service includes service on a part-time basis performed on or after April 7, 1986, such service, other than service subject to the Federal Employees Retirement System, shall be computed as follows:

(1) the average pay of the employee, to the extent that it includes pay for service performed in any position on a part-time basis, shall be determined by using the annual rate of basic pay that would be payable for full-time service in the position; and

(2) the benefit so computed shall then be multiplied by a fraction equal to the ratio that the employee's actual service, as determined by prorating an employee's total service to reflect the service that was performed on a part-time basis, bears to the total service that would be creditable for the employee if all of the service had been performed on a full-time basis.

(b) The provision of section 221(b)(3)(C) of the Act regarding the termination of annuity to surviving spouses due to remarriage prior to age 60 shall hereafter be administered by the Central Intelligence Agency by substituting age 55 in lieu of age 60.

(c) The provisions of section 221(g)(1) of the Act regarding the remarriage of surviving spouses before, on, and after age 60 shall hereafter be administered by the Central Intelligence Agency by substituting age 55 in lieu of age 60.

**Sec. 2.** Section 1(a) of this order shall be given retroactive effect to April 7, 1986. Section 1(b) and (c) of this order shall be effective on the date of signature.

GEORGE BUSH

THE WHITE HOUSE,

*July 27, 1989.*

Executive Order 12685 of July 28, 1989

### **Noncompetitive Conversion of Personal Assistants to Employees With Disabilities**

By the authority vested in me as President by the Constitution and laws of the United States of America, including sections 3301 and 3302 of title 5, United States Code, it is hereby ordered as follows:

**Section 1.** Upon recommendation by the employing agency, and subject to qualifications and other requirements prescribed by the Office of Personnel Management, an employee in a position in the excepted service under 5 C.F.R. 213.3102(11) as a reader, interpreter, or personal assistant for a handicapped employee, whose employment in such position is no longer necessary and who has completed at least 1 year of satisfactory service in such position under a non-temporary appointment, may be converted non-competitively to a career or career-conditional appointment.

**Sec. 2.** This order shall be effective upon publication in the *Federal Register*.<sup>1</sup>

GEORGE BUSH

THE WHITE HOUSE,  
*July 28, 1989.*

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<sup>1</sup> Editorial note: Published in the *Federal Register* of Aug. 1, 1989.

Executive Order 12686 of August 4, 1989

### **President's Commission on Aviation Security and Terrorism**

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish a Commission on Aviation Security and Terrorism, it is hereby ordered as follows:

**Section 1. Establishment.** (a) There is established the President's Commission on Aviation Security and Terrorism to review and evaluate policy options in connection with aviation security, with particular reference to the destruction on December 21, 1988, of Pan American World Airways Flight 103. The Commission shall consist of seven members appointed by the President. Two members shall be Senators, and two shall be Members of the House of Representatives; they shall represent both parties equally. The President shall consult with the Majority and Republican Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives in making appointments from the Senate and House of Representatives, respectively.

(b) The President shall designate a Chairman from among the members of the Commission.

**Sec. 2. Functions.** (a) The Commission shall conduct a comprehensive study and appraisal of practices and policy options with respect to preventing terrorist acts involving aviation. In conducting this effort, the Commission shall evaluate the adequacy of existing procedures for aviation security, compliance therewith, and enforcement thereof. The Commission also shall review options for handling terrorist threats, including prior notification to the public. Further, the Commission shall investigate practices, policies, and laws with respect to the treatment of families of victims of terrorist acts.

(b) Within 6 months of the date of this order, the Commission shall submit a report to the President, which shall be classified if necessary, containing findings and recommendations. If the Commission's report is classified, an unclassified version shall be prepared for public distribution.

**Sec. 3. Administration.** (a) To the extent permitted by law and fully protecting intelligence sources and methods and the ongoing investigations into the destruction of Pan American World Airways Flight 103 of December 21, 1988, the heads of executive departments, agencies, and independent instrumentalities shall provide the Commission, upon request, with such information as it may require for purposes of carrying out its functions.

(b) Members of the Commission appointed from among private citizens may receive compensation for their work on the Commission at the daily rate specified for GS-18 of the General Schedule. While engaged in the work of the Commission, members appointed from among private citizens of the United States may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(c) To the extent permitted by law and subject to the availability of appropriations, the Department of Transportation shall, among other Administrative functions, provide the Commission with administrative services, funds, facilities, staff, and other support services necessary for the performance of its functions, and the Secretary of Transportation shall perform the functions of the President under the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), except that of reporting to the Congress, in accordance with the guidelines and procedures established by the Administrator of General Services.

(d) The Commission shall adhere to the requirements set forth in the Federal Advisory Committee Act, as amended. All executive branch officials assigned duties by the Federal Advisory Committee Act shall comply with its requirements with respect to this Commission.

**Sec. 4. General Provision.** The Commission shall terminate 30 days after submitting its report to the President.

GEORGE BUSH

THE WHITE HOUSE,

August 4, 1989.

Editorial note: For a White House statement, dated Aug. 4, 1989, on the establishment of the Commission, see the *Weekly Compilation of Presidential Documents* (vol. 25, p. 1210).

Executive Order 12687 of August 15, 1989

### President's Education Policy Advisory Committee

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), an advisory committee on the education policy of the United States, it is hereby ordered as follows:

**Section 1. *Establishment.*** (a) There is established the President's Education Policy Advisory Committee. The Committee shall be composed of members appointed by the President.

(b) The President shall designate a Chairman from among members of the Committee. The Assistant to the President for Economic and Domestic Policy shall serve as the Secretary of the Committee.

**Sec. 2. *Functions.*** (a) The Committee shall advise the President with respect to the objectives and conduct of the overall education policy of the United States.

(b) In the performance of its advisory duties the Committee shall conduct a continuing review and assessment of education policy and shall report thereon to the President whenever requested.

**Sec. 3. *Administration.*** (a) The heads of executive agencies shall, to the extent permitted by law, provide the Committee such information with respect to education policy matters as the Committee requires for the purpose of carrying out its functions.

(b) Members of the Committee shall serve without any compensation for their work on the Committee. However, they shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(c) Any expenses of the Committee shall be paid from funds available for the expenses of the Office of Policy Development.

**Sec. 4. *General.*** Notwithstanding any other Executive order, the responsibilities of the President under the Federal Advisory Committee Act, as amended, shall be performed by the Assistant to the President for Economic and Domestic Policy or his designee, except that the Administrator of General Services shall, on a reimbursable basis, provide such administrative services as may be required.

(b) The Committee shall terminate on December 31, 1990, unless sooner extended.

GEORGE BUSH

THE WHITE HOUSE,  
August 15, 1989.

Executive Order 12688 of August 15, 1989

### Transfer Authority Choctawhatchee National Forest, Florida

By the authority vested in me as President by the Constitution and laws of the United States of America, including Pub. L. No. 668, 76th Cong., 3d Sess., 54 Stat. 655 (1940), to ensure that excess property under the control of the Department of Defense within and adjacent to the Choctawhatchee National Forest, Florida, is transferred to the Department of Agriculture for inclusion in the National Forest, it is hereby ordered as follows:

The Secretary of Defense is hereby delegated the President's authority under Pub. L. No. 668, 76th Cong., 3d Sess., 54 Stat. 655 (1940), to transfer such property within or adjacent to the boundaries of Choctawhatchee National Forest, Florida, that is no longer required for military purposes, to the Secretary of Agriculture to be restored to national forest status. To the extent this order delegates the President's authority under Pub. L. No. 668, 76th Cong., 3d Sess., 54 Stat. 655 (1940), to the Secretary of Defense, it supersedes Executive Order No. 10355, which delegates the President's authority to revoke withdrawals and reservations of public lands to the Secretary of the Interior. The Secretary of Defense will document the transaction by letter of transfer between the Departments. The Secretary of Defense, 30 days prior to taking any action to transfer property pursuant to this order, shall notify the Secretary of the Interior of the effective date and time for "opening" of the lands to relevant land laws. The authority delegated by this order may be further redelegated within the Department of Defense.

GEORGE BUSH

THE WHITE HOUSE,  
August 15, 1989.

Executive Order 12689 of August 16, 1989

### Debarment and Suspension

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to protect the interest of the Federal Government, to deal only with responsible persons, and to insure proper management and integrity in Federal activities, it is hereby ordered as follows:

**Section 1. Definitions.** For purposes of this order:

- (a) "Procurement activities" refers to all acquisition programs and activities of the Federal Government, as defined in the Federal Acquisition Regulation.
- (b) "Nonprocurement activities" refers to all programs and activities involving Federal financial and nonfinancial assistance and benefits, as covered by Executive Order No. 12549 and the Office of Management and Budget guidelines implementing that order.
- (c) "Agency" refers to executive departments and agencies.

**Sec. 2. Governmentwide Effect.**

(a) To the extent permitted by law and upon resolution of differences and promulgation of final regulations pursuant to section 3 of this order, the debarment, suspension, or other exclusion of a participant in a procurement activity under the Federal Acquisition Regulation, or in a nonprocurement activity under regulations issued pursuant to Executive Order No. 12549, shall have governmentwide effect. No agency shall allow a party to participate in any procurement or nonprocurement activity if any agency has debarred, suspended, or otherwise excluded (to the extent specified in the exclusion agreement) that party from participation in a procurement or nonprocurement activity.

(b) An agency may grant an exception permitting a debarred, suspended, or otherwise excluded party to participate in procurement activities of that agency to the extent exceptions are authorized under the Federal Acquisition Regulation, or to participate in nonprocurement activities of that agency to the extent exceptions are authorized under regulations issued pursuant to Executive Order No. 12549.

**Sec. 3. Implementation.**

(a) The Office of Management and Budget may assist Federal agencies in resolving differences between the provisions contained in the Federal Acquisition Regulation and in regulations issued pursuant to Executive Order No. 12549. The Office of Management and Budget may determine the date of resolution of differences and then shall notify affected agencies of that date.

(b) To implement this order, proposed regulations amending the Federal Acquisition Regulation and the agency regulations issued pursuant to Executive Order No. 12549 shall be published simultaneously within 6 months of the resolution of differences.

(c) Final regulations shall be published simultaneously within 12 months of the publication of the proposed regulations, to be effective 30 days thereafter.

GEORGE BUSH

THE WHITE HOUSE,

*August 16, 1989.*

Executive Order 12690 of September 20, 1989

**Providing for the Restoration of Law and Order in the Virgin Islands**

WHEREAS; I have today issued Proclamation No. 6023 pursuant to the provisions of Chapter 15 of Title 10 of the United States Code;

WHEREAS; the conditions of domestic violence and disorder described therein continue, and the persons engaging in such acts of violence have not dispersed;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, it is hereby ordered as follows:

**Section 1.** Units and members of the Armed Forces of the United States will be used to suppress the violence described in the proclamation and to restore law and order in and about the Virgin Islands.

**Sec. 2.** The Secretary of Defense is authorized to use such of the Armed Forces as may be necessary to carry out the provisions of Section 1. To that end, he is authorized to call into the active military service of the United States units or members of the National Guard, as authorized by law, to serve in an active duty status for an indefinite period and until relieved by appropriate orders. Units or members may be relieved subject to recall at the discretion of the Secretary of Defense.

In carrying out the provisions of this order, the Secretary of Defense shall coordinate such law enforcement policies with the Attorney General.

**Sec. 3.** The Secretary of Defense is authorized to determine when Federal military forces shall be withdrawn from the disturbance area and when federalized National Guard units and personnel shall be released from active Federal service.

**Sec. 4.** The Secretary of Defense is authorized to delegate to subordinate officials of his Department any of the authority conferred upon him by this order.

**GEORGE BUSH**

THE WHITE HOUSE,  
*September 20, 1989.*

**Executive Order 12691 of September 23, 1989**

### **President's Advisory Committee on the Points of Light Initiative Foundation**

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), an advisory committee on the Points of Light Initiative, a foundation to be established to foster and promote community service, it is hereby ordered as follows:

**Section 1. Establishment.** (a) There is established the President's Advisory Committee on the Points of Light Initiative Foundation ("Committee"). The Committee shall be composed of not more than five members to be appointed by the President.

(b) The President shall appoint a Chairman and Vice Chairman from among the members of the Committee.

**Sec. 2. Functions.** The Committee shall advise the President, by written report to be submitted within forty-five (45) days of the Committee's first meeting, with respect to the legal structure of the Points of Light Initiative Foundation and the legislation needed to establish the Foundation.

**Sec. 3. Administration.** (a) The Director of the Office of National Service in the Executive Office of the President and the heads of executive agencies shall provide, to the extent permitted by law, the Committee with such information with respect to community service issues and such other support as it may require for purposes of carrying out its functions under this order.

(b) Members of the Committee shall serve without compensation for their work on the Committee. However, members appointed from among private citizens of the United States shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701-5707).

(c) The Office of National Service in the Executive Office of the President shall provide, to the extent permitted by law and subject to the availability of funds, the Committee with administrative services, funds, and other support services as may be necessary for the effective performance of its functions hereunder.

(d) Notwithstanding any other executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Committee, shall be performed by the Director of the Office of National Service, in accordance with guidelines and procedures established by the Administrator of General Services.

**Sec. 4. General.** The term of the Committee shall expire on June 30, 1991, unless sooner extended.

GEORGE BUSH

THE WHITE HOUSE,  
September 23, 1989.

**Executive Order 12692 of September 29, 1989**

**Continuance of Certain Federal Advisory Committees**

By the authority vested in me as President by the Constitution and laws of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

**Section 1.** Each advisory committee listed below is continued until September 30, 1991:

(a) Advisory Committee on Small and Minority Business Ownership; Executive Order No. 12190 (Small Business Administration).

(b) Committee for the Preservation of the White House; Executive Order No. 11145, as amended (Department of the Interior).



- (c) Federal Advisory Council on Occupational Safety and Health; Executive Order No. 12196, as amended (Department of Labor).
- (d) President's Commission on White House Fellowships; Executive Order No. 11183, as amended (Office of Personnel Management).
- (e) President's Committee on the Arts and the Humanities; Executive Order No. 12367, as amended (National Endowment for the Arts).
- (f) President's Committee on the International Labor Organization; Executive Order No. 12216 (Department of Labor).
- (g) President's Committee on Mental Retardation; Executive Order No. 11776 (Department of Health and Human Services).
- (h) President's Committee on the National Medal of Science; Executive Order No. 11287, as amended (National Science Foundation).
- (i) President's Council on Physical Fitness and Sports; Executive Order No. 12345, as amended (Department of Health and Human Services).
- (j) President's Export Council; Executive Order No. 12131, as amended (Department of Commerce).
- (k) President's National Security Telecommunications Advisory Committee; Executive Order No. 12382, as amended (Department of Defense).

**Sec. 2.** Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act that are applicable to the committees listed in Section 1 of this order, except that of reporting annually to the Congress, shall be performed by the head of the department or agency designated after each committee, in accordance with guidelines and procedures established by the Administrator of General Services.

**Sec. 3.** The following Executive orders, which established committees that have terminated or whose work is completed, are revoked:

- (a) Executive Order No. 12462, as amended by Executive Order No. 12533, establishing the President's Advisory Committee on Mediation and Conciliation.
- (b) Executive Order No. 12592, establishing the President's Commission on Compensation of Career Federal Executives.
- (c) Executive Order No. 12668, establishing the President's Commission on Federal Ethics Law Reform.
- (d) Executive Order No. 12607, establishing the President's Commission on Privatization.
- (e) Executive Order No. 12296, as amended by Executive Order No. 12309, establishing the President's Economic Policy Advisory Board.
- (f) Executive Order No. 12528, as amended by Executive Order No. 12604, establishing the Presidential Board of Advisors on Private Sector Initiatives.
- (g) Executive Order No. 12601, as amended by Executive Order No. 12603, establishing the Presidential Commission on the Human Immunodeficiency Virus Epidemic.

**Sec. 4.** Executive Order No. 12610 is superseded.

**EO 12692**

**Title 3—The President**

**Sec. 5.** This order shall be effective September 30, 1989.

**GEORGE BUSH**

THE WHITE HOUSE,

*September 29, 1989.*

**Executive Order 12693 of September 29, 1989**

**Exclusion of the Defense Mapping Agency Reston Center and Elements Under the Joint Special Operations Command From the Federal Labor-Management Relations Program**

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 7103(b)(1) of title 5 of the United States Code, and having determined that the Defense Mapping Agency Reston Center and the elements under the operational control of the Joint Special Operations Command have as a primary function intelligence, counterintelligence, investigative, or national security work and that the provisions of Chapter 71 of title 5 of the United States Code cannot be applied to those organizations in a manner consistent with national security requirements and considerations, Executive Order No. 12171 of November 19, 1979, as amended, is further amended as follows:

**Section 1.** Section 1-212(v) is amended by deleting the period and inserting in lieu thereof "and all elements under its operational control."

**Sec. 2.** A new section is inserted after section 1-214 as follows:

"1-215. The Defense Mapping Agency Reston Center, Department of Defense."

**GEORGE BUSH**

THE WHITE HOUSE,

*September 29, 1989.*

**Executive Order 12694 of October 11, 1989**

**Amending Executive Order No. 12345**

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and in order to amend Executive Order No. 12345, as amended, to provide for the option of selecting one or more Chairmen and Vice Chairmen from among the members of the President's Council on Physical Fitness and Sports, it is hereby ordered that Executive Order No. 12345, as amended, is amended as follows:

**Section 1.** The second sentence of Section 2(b) shall read "The President may, as he deems appropriate, designate one or more members to be Chairmen and to be Vice Chairmen."

Sec. 2. This order is effective immediately.

GEORGE BUSH

THE WHITE HOUSE,

*October 11, 1989.*

Executive Order 12695 of November 1, 1989

### Delegation of Debt Relief Authority

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Foreign Assistance Act of 1961, as amended, and section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461, 102 Stat. 2268), and in order to delegate certain relief authority to the Administrator of the Agency for International Development, it is hereby ordered as follows:

**Section 1.** *Delegation of Presidential Authority under Section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989.* Section 1-102(a) of Executive Order No. 12163, as amended, is further amended by (A) deleting "and" at the end of subsection (9), (B) deleting the period and inserting "; and" at the end of subsection (10), and (C) adding a subsection (11) as follows:

"(11) section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), to be exercised by the Administrator of the Agency for International Development within IDCA, with the concurrence of the Development Coordination Committee, as established by section 640B of the Act and as provided for herein."

Sec. 2. *Effective Date.* This order shall take effect immediately.

GEORGE BUSH

THE WHITE HOUSE,

*November 1, 1989.*

Executive Order 12696 of November 13, 1989

### President's Drug Advisory Council

By the authority vested in me as President by the Constitution and laws of the United States of America, and in order to establish, in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), an advisory committee to assist in the development, dissemination, explanation, and promotion of national drug control policy, it is hereby ordered as follows:

**Section 1.** *Establishment.* (a) There is established the President's Drug Advisory Council in the Federal Government. The Council shall be composed

of not more than 30 members appointed by the President from among citizens in private life.

(b) The President shall designate a Chairman from among the members of the Council.

**Sec. 2. Functions.** (a) The Council shall recommend to and advise the President and the Director of National Drug Control Policy on developing methods and means to explain national drug control policies to the American people.

(b) The Council shall recommend to and advise the President and the Director of National Drug Control Policy on promotional efforts to encourage the private sector to implement national drug control policies.

(c) The Council shall study the feasibility of establishing a national support organization to help coordinate private sector initiatives to implement national drug control policies, and, in consultation with the President and the Director of National Drug Control Policy, shall provide advice to assist in the establishment of such support organization.

(d) The Council shall meet with and solicit the advice of various members of the media and communications field, and, in consultation with the President and the Director of National Drug Control Policy, shall provide advice in coordinating efforts of the private sector to inform the public of the dangers of illegal drug use.

(e) The Council shall devise means to solicit the views and advice of the American people regarding the development and implementation of national drug control policy. In consultation with the President and the Director of National Drug Control Policy, the Council shall utilize forums and seminars in various regions of the country to assist in this function.

(f) The Chairman of the Council shall report to the President and the Director of National Drug Control Policy, whenever requested.

**Sec. 3. Administration.** (a) Members of the Council shall serve without compensation.

(b) Members of the Council may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701–5707).

(c) The Office of National Drug Control Policy shall provide administrative staff support to the Council, to assist in its day-to-day operations.

(d) To the extent permitted by law, the heads of executive departments and agencies shall provide the Chairman of the Council, upon request, with such information as the Chairman may require for the purposes of carrying out the Council's functions.

**Sec. 4. General Provisions.** (a) Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, which are applicable to the Council, shall be performed by the Director of National Drug Control Policy, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) The Council shall terminate 24 months from the date of this order, unless sooner extended.

GEORGE BUSH

THE WHITE HOUSE,

*November 13, 1989.*

*Editorial note:* For the President's remarks on signing Executive Order 12696 and a White House announcement on the appointment of the Chairman and members of the Council, both dated Nov. 13, 1989, see the *Weekly Compilation of Presidential Documents* (vol. 25, pp. 1734 and 1736).

**Executive Order 12697 of December 22, 1989**

### **Extending the National Commission on Superconductivity**

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Omnibus Trade and Competitiveness Act of 1988 (P.L. 100-418, 102 Stat. 1107) and section 301 of title 3 of the United States Code, and to give the National Commission on Superconductivity additional time to complete its report, it is hereby ordered that Section 3-401(5) of Executive Order No. 12661 is amended by deleting the date "February 23, 1989," and inserting in lieu thereof the date "March 31, 1990," and that the first sentence of Section 3-401(7) of the same Executive Order is amended to read "The Commission shall disband no later than May 31, 1990."

GEORGE BUSH

THE WHITE HOUSE,

*December 22, 1989.*

**Executive Order 12698 of December 23, 1989**

### **Adjustments of Certain Rates of Pay and Allowances**

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 619 of Public Law 101-136, section 601 of Public Law 101-189, sections 702 and 1101 of Public Law 101-194, and section 11002(a)(3) of Public Law 101-239, it is hereby ordered as follows:

**Section 1. *Statutory Pay Systems.*** The rates of basic pay or salaries of the following statutory pay systems are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedules 1-A and 1-B;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Services and Research Administration of the Department of Veterans Affairs (38 U.S.C. 4107) at Schedules 3-A and 3-B.

**Sec. 2. Senior Executive Service.** Pursuant to section 5382 of title 5, United States Code, the rates of basic pay for members of the Senior Executive Service are set forth on Schedule 4 attached hereto and made a part hereof.

**Sec. 3. Executive Salaries.** The rates of pay or salaries for the following offices and positions are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312-5316) at Schedules 5-A and 5-B;

(b) The Vice President (3 U.S.C. 104) and Congress (2 U.S.C. 31) at Schedules 6-A and 6-B; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, and 252) at Schedules 7-A and 7-B.

**Sec. 4. Uniformed Services.** Pursuant to section 601 of Public Law 101-189, the rates of monthly basic pay (37 U.S.C. 203(a)), the rates of basic allowances for subsistence (37 U.S.C. 402), and the rates of basic allowances for quarters (37 U.S.C. 403(a)) for members of the uniformed services are set forth at Schedules 8-A and 8-B attached hereto and made a part hereof.

**Sec. 5. Effective Dates.** (a) The rates of monthly basic pay and allowances for subsistence and quarters for members of the uniformed services provided for at Schedule 8-A are effective on January 1, 1990. The rates of basic pay or salaries provided for at Schedules 1-A, 2, 3-A, 4, 5-A, 6-A, and 7-A are effective on the first day of the first applicable pay period beginning on or after January 1, 1990.

(b) Pursuant to sections 702 and 1101 of Public Law 101-194 and section 11002(a)(3) of Public Law 101-239, the rates of monthly basic pay and allowances for subsistence and quarters for members of the uniformed services provided for at Schedule 8-B shall supersede the rates provided for at Schedule 8-A on February 1, 1990, and the rates of basic pay or salaries provided for at Schedules 1-B, 3-B, 5-B, 6-B, and 7-B shall supersede the rates of basic pay or salaries provided for at Schedules 1-A, 3-A, 5-A, 6-A, and 7-A, respectively, effective on the first day of the first applicable pay period beginning on or after January 31, 1990.

**Sec. 6.** Executive Order No. 12663 of January 6, 1989, is superseded.

GEORGE BUSH

THE WHITE HOUSE,  
December 23, 1989.

#### Schedule 1-A—GENERAL SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

GS-	1	2	3	4	5	6	7	8	9	10
1.....	\$10,581	\$10,935	\$11,288	\$11,637	\$11,990	\$12,197	\$12,544	\$12,893	\$12,910	\$13,232
2.....	11,897	12,180	12,574	12,910	13,053	13,437	13,821	14,205	14,509	14,973
3.....	12,982	13,415	13,848	14,281	14,714	15,147	15,580	16,013	16,446	16,879
4.....	14,573	15,059	15,545	16,031	16,517	17,003	17,489	17,975	18,461	18,947
5.....	16,305	16,849	17,393	17,937	18,481	19,025	19,569	20,113	20,657	21,201
6.....	18,174	18,780	19,386	19,992	20,598	21,204	21,810	22,416	23,022	23,628
7.....	20,195	20,868	21,541	22,214	22,887	23,560	24,233	24,906	25,579	26,252
8.....	22,367	23,113	23,859	24,605	25,351	26,097	26,843	27,589	28,335	29,081
9.....	24,705	25,529	26,353	27,177	28,001	28,825	29,649	30,473	31,297	32,121

**Executive Orders**

**EO 12698**

**Schedule 1-A—GENERAL SCHEDULE—Continued**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

GS-	1	2	3	4	5	6	7	8	9	10
10.....	27,206	28,113	29,020	29,927	30,834	31,741	32,648	33,555	34,462	35,369
11.....	29,891	30,887	31,883	32,879	33,875	34,871	35,867	36,863	37,859	38,855
12.....	35,825	37,019	38,213	39,407	40,601	41,795	42,989	44,183	45,377	46,571
13.....	42,601	44,021	45,441	46,861	48,281	49,701	51,121	52,541	53,961	55,381
14.....	50,342	52,020	53,698	55,376	57,054	58,732	60,410	62,088	63,766	65,444
15.....	59,216	61,190	63,164	65,138	67,112	69,086	71,060	73,034	75,008	76,982
16.....	69,451	71,766	74,081	76,396	78,710	79,438*	81,708*	83,978*	85,470*	
17.....	79,762*	82,420*	85,078*	85,470*	85,500*					
18.....	86,682*									

\* The rate of basic pay payable to employees at these rates is limited to the rate for level V of the Executive Schedule, which is \$78,200.

**Schedule 1-B—GENERAL SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 31, 1990)

GS-	1	2	3	4	5	6	7	8	9	10
1.....	\$10,581	\$10,935	\$11,286	\$11,637	\$11,990	\$12,197	\$12,544	\$12,893	\$12,910	\$13,232
2.....	11,897	12,180	12,574	12,910	13,053	13,437	13,821	14,205	14,589	14,973
3.....	12,982	13,415	13,848	14,281	14,714	15,147	15,580	16,013	16,446	16,879
4.....	14,573	15,059	15,545	16,031	16,517	17,003	17,489	17,975	18,461	18,947
5.....	16,305	16,849	17,393	17,937	18,481	19,025	19,569	20,113	20,657	21,201
6.....	18,174	18,780	19,386	19,992	20,598	21,204	21,810	22,416	23,022	23,628
7.....	20,195	20,868	21,541	22,214	22,887	23,560	24,233	24,906	25,579	26,252
8.....	22,367	23,113	23,859	24,605	25,351	26,097	26,843	27,589	28,335	29,081
9.....	24,705	25,529	26,353	27,177	28,001	28,825	29,649	30,473	31,297	32,121
10.....	27,206	28,113	29,020	29,927	30,834	31,741	32,648	33,555	34,462	35,369
11.....	29,891	30,887	31,883	32,879	33,875	34,871	35,867	36,863	37,859	38,855
12.....	35,825	37,019	38,213	39,407	40,601	41,795	42,989	44,183	45,377	46,571
13.....	42,601	44,021	45,441	46,861	48,281	49,701	51,121	52,541	53,961	55,381
14.....	50,342	52,020	53,698	55,376	57,054	58,732	60,410	62,088	63,766	65,444
15.....	59,216	61,190	63,164	65,138	67,112	69,086	71,060	73,034	75,008	76,982
16.....	69,451	71,766	74,081	76,396	78,710	79,440*	81,710*	83,981*	86,251*	
17.....	79,762*	82,421*	85,080*	87,739*	90,398*					
18.....	93,484*									

\* The rate of basic pay payable to employees at these rates is limited to the rate for level V of the Executive Schedule, which is \$76,200.

**Schedule 2—FOREIGN SERVICE SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1.....	\$59,216	\$47,983	\$38,881	\$31,505	\$25,529	\$22,822	\$20,402	\$18,239	\$16,305
2.....	60,992	49,422	40,047	32,450	26,295	23,507	21,014	18,786	16,794
3.....	62,822	50,905	41,249	33,424	27,084	24,212	21,644	19,350	17,298
4.....	64,707	52,432	42,486	34,426	27,896	24,938	22,294	19,930	17,817
5.....	66,648	54,005	43,761	35,459	28,733	25,686	22,963	20,528	18,351
6.....	68,648	55,625	45,074	36,523	29,595	26,457	23,652	21,144	18,902
7.....	70,707	57,294	46,426	37,619	30,483	27,251	24,361	21,778	19,469
8.....	72,828	59,013	47,819	38,747	31,397	28,068	25,092	22,432	20,053
9.....	75,013	60,783	49,253	39,910	32,339	28,910	25,845	23,105	20,655
10.....	76,982	62,607	50,731	41,107	33,310	29,778	26,620	23,798	21,274
11.....	76,982	64,485	52,253	42,340	34,309	30,671	27,419	24,512	21,913
12.....	76,982	66,420	53,820	43,610	35,338	31,591	28,241	25,247	22,570
13.....	76,982	68,412	55,435	44,919	36,398	32,539	29,088	26,004	23,247

Schedule 2—FOREIGN SERVICE SCHEDULE—Continued

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
14.....	76,982	70,465	57,098	46,266	37,490	33,515	29,981	26,785	23,944

Schedule 3—A—VETERANS HEALTH SERVICES AND RESEARCH  
ADMINISTRATION SCHEDULES, DEPARTMENT OF VETERANS AFFAIRS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

	1	2	3	4	5
<i>Section 4103 Schedule</i>					
Deputy Chief Medical Director.....	93,248 <sup>1</sup>				
Associate Deputy Chief Medical Director.....	89,314 <sup>2</sup>				
Assistant Chief Medical Director.....	86,682 <sup>3</sup>				
Medical Director.....	79,762 <sup>2</sup>	\$80,718 <sup>2</sup>	\$81,675 <sup>2</sup>	\$82,631 <sup>2</sup>	\$83,587 <sup>2</sup>
Director of Nursing Service.....	79,762 <sup>2</sup>	80,718 <sup>2</sup>	81,675 <sup>2</sup>	82,631 <sup>2</sup>	83,587 <sup>2</sup>
Director of Podiatric Service.....	69,451	71,766	74,081	76,396	78,190
Director of Chaplain Service.....	69,451	71,766	74,081	76,396	78,190
Director of Pharmacy Service.....	69,451	71,766	74,081	76,396	78,190
Director of Dietetic Service.....	69,451	71,766	74,081	76,396	78,190
Director of Optometric Service.....	69,451	71,766	74,081	76,396	78,190
<i>Physician and Dentist Schedule</i>					
Director Grade.....	\$69,451	\$71,766	\$74,081	\$76,396	\$78,190
Executive Grade.....	64,129	66,267	68,405	70,543	72,681
Chief Grade.....	59,216	61,190	63,164	65,138	67,112
Senior Grade.....	50,342	52,020	53,698	55,376	57,054
Intermediate Grade.....	42,601	44,021	45,441	46,861	48,281
Full Grade.....	35,825	37,019	38,213	39,407	40,601
Associate Grade.....	29,891	30,887	31,883	32,879	33,875
<i>Clinical Podiatrist and Optometrist Schedule</i>					
Chief Grade.....	\$59,216	\$61,190	\$63,164	\$65,138	\$67,112
Senior Grade.....	50,342	52,020	53,698	55,376	57,054
Intermediate Grade.....	42,601	44,021	45,441	46,861	48,281
Full Grade.....	35,825	37,019	38,213	39,407	40,601
Associate Grade.....	29,891	30,887	31,883	32,879	33,875
<i>Nurse Schedule</i>					
Director Grade.....	\$59,216	\$61,190	\$63,164	\$65,138	\$67,112
Assistant Director Grade.....	50,342	52,020	53,698	55,376	57,054
Chief Grade.....	42,601	44,021	45,441	46,861	48,281
Senior Grade.....	35,825	37,019	38,213	39,407	40,601
Intermediate Grade.....	29,891	30,887	31,883	32,879	33,875
Full Grade.....	24,705	25,529	26,353	27,177	28,001
Associate Grade.....	21,259	21,968	22,677	23,386	24,095
Junior Grade.....	18,174	18,780	19,386	19,992	20,598

	6	7	8	9	10
<i>Section 4103 Schedule</i>					
Deputy Chief Medical Director.....					



Executive Orders

EO 12698

	6	7	8	9	10
<i>Associate Deputy Chief Medical Director</i> .....					
<i>Assistant Chief Medical Director</i> .....					
<i>Medical Director</i> .....	\$84,544 <sup>2</sup>	\$85,500 <sup>2</sup>			
<i>Director of Nursing Service</i> ....	84,544 <sup>2</sup>	85,500 <sup>2</sup>			
<i>Director of Podiatric Service</i> ..	79,438 <sup>2</sup>	81,708 <sup>2</sup>	\$83,978 <sup>2</sup>	\$85,470 <sup>2</sup>	
<i>Director of Chaplain Service</i> ..	79,438 <sup>2</sup>	81,708 <sup>2</sup>	83,978 <sup>2</sup>	85,470 <sup>2</sup>	
<i>Director of Pharmacy Service</i> .....	79,438 <sup>2</sup>	81,708 <sup>2</sup>	83,978 <sup>2</sup>	85,470 <sup>2</sup>	
<i>Director of Dietetic Service</i> ....	79,438 <sup>2</sup>	81,708 <sup>2</sup>	83,978 <sup>2</sup>	85,470 <sup>2</sup>	
<i>Director of Optometric Service</i> .....	79,438 <sup>2</sup>	81,708 <sup>2</sup>	83,978 <sup>2</sup>	85,470 <sup>2</sup>	
<i>Physician and Dentist Schedule</i>					
<i>Director Grade</i> .....	\$79,438 <sup>2</sup>	\$81,708 <sup>2</sup>	\$83,978 <sup>2</sup>	85,470 <sup>2</sup>	
<i>Executive Grade</i> .....	74,819	76,957	78,190	79,635 <sup>2</sup>	\$81,731
<i>Chief Grade</i> .....	69,086	71,060	73,034	75,008	76,982
<i>Senior Grade</i> .....	58,732	60,410	62,088	63,766	65,444
<i>Intermediate Grade</i> .....	49,701	51,121	52,541	53,961	55,381
<i>Full Grade</i> .....	41,795	42,989	44,183	45,377	46,571
<i>Associate Grade</i> .....	34,871	35,867	36,863	37,859	38,855
<i>Clinical Podiatrist and Optometrist Schedule</i>					
<i>Chief Grade</i> .....	\$69,086	\$71,060	\$73,034	\$75,008	\$76,982
<i>Senior Grade</i> .....	58,732	60,410	62,088	63,766	65,444
<i>Intermediate Grade</i> .....	49,701	51,121	52,541	53,961	55,381
<i>Full Grade</i> .....	41,795	42,989	44,183	45,377	46,571
<i>Associate Grade</i> .....	34,871	35,867	36,863	37,859	38,855
<i>Nurse Schedule</i>					
<i>Director Grade</i> .....	\$69,086	\$71,060	\$73,034	\$75,008	\$76,982
<i>Assistant Director Grade</i> .....	58,732	60,410	62,088	63,766	65,444
<i>Chief Grade</i> .....	49,701	51,121	52,541	53,961	55,381
<i>Senior Grade</i> .....	41,795	42,989	44,183	45,377	46,571
<i>Intermediate Grade</i> .....	34,871	35,867	36,863	37,859	38,855
<i>Full Grade</i> .....	28,825	29,649	30,473	31,297	32,121
<i>Associate Grade</i> .....	24,804	25,513	26,222	26,931	27,640
<i>Junior Grade</i> .....	21,204	21,810	22,416	23,022	23,628

<sup>1</sup> The rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$83,600.

<sup>2</sup> The rate of basic pay payable to employees at these rates is limited to the rate for level V of the Executive Schedule, which is \$76,200.

Schedule 3-B—VETERANS HEALTH SERVICES AND RESEARCH  
ADMINISTRATION SCHEDULES, DEPARTMENT OF VETERANS AFFAIRS

(Effective on the first day of the first applicable pay period beginning on or after January 31, 1990)

	1	2	3	4	5
<i>Section 4103 Schedule</i>					
<i>Deputy Chief Medical Director</i> .....	\$100,560 <sup>1</sup>				
<i>Associate Deputy Chief Medical Director</i> .....	96,323 <sup>2</sup>				
<i>Assistant Chief Medical Director</i> .....	93,484 <sup>2</sup>				
<i>Medical Director</i> .....	79,762 <sup>2</sup>	\$81,535 <sup>2</sup>	\$83,307 <sup>2</sup>	\$85,080 <sup>2</sup>	\$86,853 <sup>2</sup>
<i>Director of Nursing Service</i> ....	79,762 <sup>2</sup>	81,535 <sup>2</sup>	83,307 <sup>2</sup>	85,080 <sup>2</sup>	86,853 <sup>2</sup>
<i>Director of Podiatric Service</i> ..	69,451	71,766	74,081	76,396	78,190
<i>Director of Chaplain Service</i> ..	69,451	71,766	74,081	76,396	78,190
<i>Director of Pharmacy Service</i> .....	69,451	71,766	74,081	76,396	78,190
<i>Director of Dietetic Service</i> ....	69,451	71,766	74,081	76,396	78,190

Schedule 3-B—VETERANS HEALTH SERVICES AND RESEARCH ADMINISTRATION SCHEDULES, DEPARTMENT OF VETERANS AFFAIRS—Continued

(Effective on the first day of the first applicable pay period beginning on or after January 31, 1990)

	1	2	3	4	5
Director of Optometric Service.....	69,451	71,768	74,081	76,396	78,190
<i>Physician and Dentist Schedule</i>					
Director Grade.....	\$69,451	\$71,768	\$74,081	\$76,396	\$78,190
Executive Grade.....	64,129	66,267	68,405	70,543	72,681
Chief Grade.....	59,216	61,190	63,164	65,138	67,112
Senior Grade.....	50,342	52,020	53,698	55,376	57,054
Intermediate Grade.....	42,601	44,021	45,441	46,861	48,281
Full Grade.....	35,825	37,019	38,213	39,407	40,601
Associate Grade.....	29,891	30,887	31,883	32,879	33,875
<i>Clinical Podiatrist and Optometrist Schedule</i>					
Chief Grade.....	\$59,216	\$61,190	\$63,164	\$65,138	\$67,112
Senior Grade.....	50,342	52,020	53,698	55,376	57,054
Intermediate Grade.....	42,601	44,021	45,441	46,861	48,281
Full Grade.....	35,825	37,019	38,213	39,407	40,601
Associate Grade.....	29,891	30,887	31,883	32,879	33,875
<i>Nurse Schedule</i>					
Director Grade.....	\$59,216	\$61,190	\$63,164	\$65,138	\$67,112
Assistant Director Grade.....	50,342	52,020	53,698	55,376	57,054
Chief Grade.....	42,601	44,021	45,441	46,861	48,281
Senior Grade.....	35,825	37,019	38,213	39,407	40,601
Intermediate Grade.....	29,891	30,887	31,883	32,879	33,875
Full Grade.....	24,705	25,529	26,353	27,177	28,001
Associate Grade.....	21,259	21,968	22,677	23,386	24,095
Junior Grade.....	18,174	18,780	19,386	19,992	20,598

	6	7	8	9	10
<i>Section 4103 Schedule</i>					
Deputy Chief Medical Director.....					
Associate Deputy Chief Medical Director.....					
Assistant Chief Medical Director.....					
Medical Director.....	\$88,625 <sup>a</sup>	\$90,398 <sup>a</sup>			
Director of Nursing Service.....	88,625 <sup>a</sup>	90,398 <sup>a</sup>			
Director of Podiatric Service..	79,440 <sup>a</sup>	81,710 <sup>a</sup>	\$83,981 <sup>a</sup>	\$86,251 <sup>a</sup>	
Director of Chaplain Service..	79,440 <sup>a</sup>	81,710 <sup>a</sup>	83,981 <sup>a</sup>	86,251 <sup>a</sup>	
Director of Pharmacy Service.....	79,440 <sup>a</sup>	81,710 <sup>a</sup>	83,981 <sup>a</sup>	86,251 <sup>a</sup>	
Director of Dietetic Service.....	79,440 <sup>a</sup>	81,710 <sup>a</sup>	83,981 <sup>a</sup>	86,251 <sup>a</sup>	
Director of Optometric Service.....	79,440 <sup>a</sup>	81,710 <sup>a</sup>	83,981 <sup>a</sup>	86,251 <sup>a</sup>	
<i>Physician and Dentist Schedule</i>					
Director Grade.....	\$79,440 <sup>a</sup>	\$81,710 <sup>a</sup>	\$83,981 <sup>a</sup>	\$86,251 <sup>a</sup>	
Executive Grade.....	74,819	76,957	78,190	79,635 <sup>a</sup>	\$81,731 <sup>a</sup>
Chief Grade.....	69,086	71,060	73,034	75,008	76,982
Senior Grade.....	58,732	60,410	62,088	63,766	65,444
Intermediate Grade.....	49,701	51,121	52,541	53,961	55,381
Full Grade.....	41,795	42,989	44,183	45,377	46,571
Associate Grade.....	34,871	35,867	36,863	37,859	38,855

**Executive Orders**

**EO 12698**

	6	7	8	9	10
<i>Clinical Podiatrist and Optometrist Schedule</i>					
Chief Grade.....	\$69,086	\$71,060	\$73,034	\$75,008	\$76,982
Senior Grade.....	58,732	60,410	62,088	63,766	65,444
Intermediate Grade.....	49,701	51,121	52,541	53,961	55,381
Full Grade.....	41,795	42,989	44,183	45,377	46,571
Associate Grade.....	34,871	35,867	36,863	37,859	38,855
<i>Nurse Schedule</i>					
Director Grade.....	\$69,086	\$71,060	\$73,034	\$75,008	\$76,982
Assistant Director Grade.....	58,732	60,410	62,088	63,766	65,444
Chief Grade.....	49,701	51,121	52,541	53,961	55,381
Senior Grade.....	41,795	42,989	44,183	45,377	46,571
Intermediate Grade.....	34,871	35,867	36,863	37,859	38,855
Full Grade.....	28,825	29,649	30,473	31,297	32,121
Associate Grade.....	24,804	25,513	26,222	26,931	27,640
Junior Grade.....	21,204	21,810	22,416	23,022	23,628

<sup>1</sup> The rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$83,600.

<sup>2</sup> The rate of basic pay payable to employees at these rates is limited to the rate for level V of the Executive Schedule, which is \$78,200.

**Schedule 4—SENIOR EXECUTIVE SERVICE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

ES-1.....	\$71,200
ES-2.....	74,400
ES-3.....	77,600
ES-4.....	79,200
ES-5.....	81,400
ES-6.....	83,600

**Schedule 5-A—EXECUTIVE SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

level I.....	\$99,500
level II.....	89,500
level III.....	85,500
level IV.....	83,600
level V.....	78,200

**Schedule 5-B—EXECUTIVE SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 31, 1990)

level I.....	\$107,300
level II.....	96,600
level III.....	89,000
level IV.....	83,600
level V.....	78,200

**Schedule 6-A—VICE PRESIDENT AND MEMBERS OF CONGRESS**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

Vice President.....	\$115,000
Senators.....	89,500
Members of the House of Representatives.....	89,500
Delegates to the House of Representatives.....	89,500

Schedule 6-A—VICE PRESIDENT AND MEMBERS OF CONGRESS—  
Continued

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

Resident Commissioner from Puerto Rico.....	89,500
President pro tempore of the Senate.....	99,500
Majority leader and minority leader of the Senate.....	99,500
Majority leader and minority leader of the House of Representatives.....	99,500
Speaker of the House of Representatives.....	115,000

Schedule 6-B—VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period beginning on or after January 31, 1990)

Vice President.....	\$124,000
Senators.....	98,400
Members of the House of Representatives.....	98,600
Delegates to the House of Representatives.....	98,600
Resident Commissioner from Puerto Rico.....	98,600
President pro tempore of the Senate.....	109,500
Majority leader and minority leader of the Senate.....	109,500
Majority leader and minority leader of the House of Representatives.....	107,300
Speaker of the House of Representatives.....	124,000

Schedule 7-A—JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1990)

Chief Justice of the United States.....	\$115,000
Associate Justices of the Supreme Court.....	110,000
Circuit Judges.....	95,000
District Judges.....	89,500
Judges of the Court of International Trade.....	89,500
Judges of the United States Claims Court.....	89,600

Schedule 7-B—JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period beginning on or after January 31, 1990)

Chief Justice of the United States.....	\$124,000
Associate Justices of the Supreme Court.....	118,600
Circuit Judges.....	102,500
District Judges.....	98,600
Judges of the Court of International Trade.....	98,600
Judges of the United States Claims Court.....	98,600

Schedule 8-A—PAY AND ALLOWANCES OF THE UNIFORMED SERVICES

(Effective on January 1, 1990)

Part I—Monthly Basic Pay

Years of Service (Computed under 37 U.S.C. 205)

Pay Grade	Commissioned Officers						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
O-10 <sup>1</sup>	\$5916.30	\$6124.50	\$6124.50	\$6124.50	\$6124.50	\$6359.40	\$6359.40
O-9	5243.40	5380.80	5495.40	5485.40	5495.40	5635.20	5635.20
O-8	4749.30	4891.50	5007.60	5007.60	5007.60	5380.80	5380.80
O-7	3946.20	4214.40	4214.40	4214.40	4403.40	4403.40	4658.70
O-6	2925.00	3213.60	3424.20	3424.20	3424.20	3424.20	3424.20
O-5	2339.10	2746.80	2936.70	2936.70	2936.70	2936.70	3025.50
O-4	1971.90	2401.20	2561.40	2561.40	2608.80	2724.00	2909.70
O-3 <sup>2</sup>	1832.40	2048.70	2190.30	2423.40	2539.20	2630.40	2772.60
O-2 <sup>2</sup>	1597.80	1745.10	2096.40	2166.90	2212.20	2212.20	2212.20
O-1 <sup>2</sup>	1387.20	1444.20	1745.10	1745.10	1745.10	1745.10	1745.10
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O-10 <sup>1</sup>	\$8711.90*	\$8711.90*	\$7122.60*	\$7122.60*	\$7125.00*	\$7125.00*	\$7558.50*
O-9	5869.80	5869.80	6359.40	6359.40	6711.90*	6711.90*	7122.60*
O-8	5635.20	5635.20	5869.80	6124.50	6359.40	6516.00	6516.00
O-7	4658.70	4891.50	5380.80	5751.00	5751.00	5751.00	5751.00
O-6	3424.20	3540.30	4100.10	4309.50	4403.40	4658.70	5052.60
O-5	3188.10	3402.00	3656.70	3866.40	3983.40	4122.60	4122.60
O-4	3073.20	3213.60	3354.60	3447.30	3447.30	3447.30	3447.30
O-3 <sup>2</sup>	2909.70	2981.40	2981.40	2981.40	2981.40	2981.40	2981.40
O-2 <sup>2</sup>	2212.20	2212.20	2212.20	2212.20	2212.20	2212.20	2212.20
O-1 <sup>2</sup>	1745.10	1745.10	1745.10	1745.10	1745.10	1745.10	1745.10

\* Basic pay is limited to the rate of basic pay for level V of the Executive Schedule, which is \$6,516.00 per month.

<sup>1</sup> While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is \$8,340.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

<sup>2</sup> Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member or warrant officer.

Pay Grade	Commissioned Officers with over 4 years' active duty as an enlisted member or warrant officer						
				Over 4	Over 6	Over 8	Over 10
O-3				\$2423.40	\$2539.20	\$2630.40	\$2772.60
O-2				2166.90	2212.20	2282.10	2401.20
O-1				1745.10	1864.20	1932.90	2002.80
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O-3	\$2909.70	\$3025.50	\$3025.50	\$3025.50	\$3025.50	\$3025.50	\$3025.50
O-2	2493.00	2561.40	2561.40	2561.40	2561.40	2561.40	2561.40
O-1	2072.70	2166.90	2166.90	2166.90	2166.90	2166.90	2166.90

Pay Grade	Warrant Officers						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
W-4.....	\$1866.90	\$2002.80	\$2002.80	\$2048.70	\$2141.70	\$2236.20	\$2330.10
W-3.....	1896.80	1840.50	1840.50	1864.20	1885.80	2023.80	2141.70
W-2.....	1485.90	1607.70	1607.70	1654.80	1745.10	1840.50	1910.40
W-1.....	1238.10	1419.60	1419.60	1538.10	1607.70	1677.00	1745.10
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
W-4.....	\$2493.00	\$2608.80	\$2700.30	\$2772.60	\$2862.30	\$2958.00	\$3188.10
W-3.....	2212.20	2282.10	2350.20	2423.40	2517.60	2608.80	2700.30
W-2.....	1980.30	2048.70	2120.70	2190.30	2259.30	2350.20	2350.20
W-1.....	1817.10	1885.80	1956.30	2023.80	2096.40	2096.40	2096.40

Pay Grade	Enlisted Members						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
E-9 <sup>1</sup> .....							\$2171.70
E-8.....						\$1821.30	1873.20
E-7.....	\$1271.40	\$1372.50	\$1423.50	\$1473.30	\$1523.40	1572.00	1622.40
E-6.....	1094.10	1192.20	1242.00	1294.80	1343.10	1391.70	1443.00
E-5.....	960.00	1044.90	1095.60	1143.30	1218.30	1268.10	1318.50
E-4.....	895.50	945.60	1001.10	1078.80	1121.40	1121.40	1121.40
E-3.....	843.60	889.80	925.50	962.10	962.10	962.10	962.10
E-2.....	811.80	811.80	811.80	811.80	811.80	811.80	811.80
E-1 <sup>2</sup> .....	724.20	724.20	724.20	724.20	724.20	724.20	724.20
E-1 <sup>3</sup> .....	669.60						
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
E-9 <sup>1</sup> .....	\$2220.60	\$2271.00	\$2322.90	\$2374.80	\$2421.00	\$2548.20	\$2796.00
E-8.....	1922.70	1972.50	2024.70	2071.20	2122.20	2246.70	2496.90
E-7.....	1672.80	1748.70	1798.20	1848.30	1872.30	1998.00	2246.70
E-6.....	1517.40	1564.80	1615.50	1640.10	1640.10	1640.10	1640.10
E-5.....	1366.80	1391.70	1391.70	1391.70	1391.70	1391.70	1391.70
E-4.....	1121.40	1121.40	1121.40	1121.40	1121.40	1121.40	1121.40
E-3.....	962.10	962.10	962.10	962.10	962.10	962.10	962.10
E-2.....	811.80	811.80	811.80	811.80	811.80	811.80	811.80
E-1.....	724.20	724.20	724.20	724.20	724.20	724.20	724.20
E-1.....							

<sup>1</sup> While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$3,398.70 regardless of cumulative years of service computed under section 205 of title 37, United States Code.

<sup>2</sup> Applies to personnel who have served 4 months or more on active duty.

<sup>3</sup> Applies to personnel who have served less than 4 months on active duty.

### Part II—Basic Allowance for Quarters Rates

Pay Grade	Without dependents		With dependents
	Full rate <sup>1</sup>	Partial rate <sup>2</sup>	
Commissioned Officers			
O-10.....	\$635.40	\$50.70	\$781.80

Part II—Basic Allowance for Quarters Rates—Continued

Pay Grade	Without dependents		With dependents
	Full rate <sup>1</sup>	Partial rate <sup>2</sup>	
O-9	635.40	50.70	781.80
O-8	635.40	50.70	781.80
O-7	635.40	50.70	781.80
O-6	582.90	39.60	704.40
O-5	561.30	33.00	678.60
O-4	520.20	26.70	598.50
O-3	417.00	22.20	495.30
O-2	330.90	17.70	422.70
O-1	278.40	13.20	377.70
Commissioned Officers with over 4 years' active duty as an enlisted member or warrant officer			
O-3	\$450.00	\$22.20	\$531.90
O-2	382.80	17.70	480.00
O-1	329.10	13.20	443.40
Warrant Officers			
W-4	\$469.50	\$25.20	\$529.50
W-3	394.50	20.70	485.40
W-2	350.10	15.90	446.40
W-1	293.40	13.80	386.10
Enlisted members			
E-9	\$385.50	\$18.60	\$508.20
E-8	354.30	15.30	468.30
E-7	302.40	12.00	435.30
E-6	273.60	9.90	402.00
E-5	252.30	8.70	381.50
E-4	219.60	8.10	314.40
E-3	215.70	7.80	292.50
E-2	175.20	7.20	278.40
E-1	155.70	6.90	278.40

<sup>1</sup> Payment of the full rate of basic allowance for quarters at these rates to members of the uniformed services without dependents is authorized by title 37, United States Code, and Part IV of Executive Order 11157, as amended.

<sup>2</sup> Payment of the partial rate of basic allowance for quarters at these rates to members of the uniformed services without dependents who, under 37 U.S.C. 403(b) or 403(c), are not entitled to the full rate of basic allowance for quarters, is authorized by 37 U.S.C. 1009(c)(2) and Part IV of Executive Order 11157, as amended.

Part III—Basic Allowance for Subsistence Rates

Officers (per month) ..... \$123.92

Enlisted Members (per day)	E-1 (less than 4 months' active duty)	All Other Enlisted
When on leave or authorized to mess separately.....	\$5.46	\$5.91
When rations in-kind are not available.....	6.16	6.67
When assigned to duty under emergency conditions where no messing facilities of the United States are available.....	8.17	8.84

Part IV—Rate of Monthly Cadet or Midshipman Pay

The rate of monthly cadet or midshipman pay authorized by section 203(c)(1) of title 37, United States Code, is \$543.90.

## Schedule 8-B—PAY AND ALLOWANCES OF THE UNIFORMED SERVICES

(Effective on February 1, 1990)

## Part I—Monthly Basic Pay

Years of Service (Computed under 37 U.S.C. 205)

Pay Grade	Commissioned Officers						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
O-10 <sup>1</sup> .....	\$5916.30	\$6124.50	\$6124.50	\$6124.50	\$6124.50	\$6359.40	\$6359.40
O-9.....	5243.40	5380.80	5495.40	5495.40	5495.40	5635.20	5635.20
O-8.....	4749.30	4891.50	5007.60	5007.60	5007.60	5380.80	5380.80
O-7.....	3946.20	4214.40	4214.40	4214.40	4403.40	4403.40	4658.70
O-6.....	2925.00	3213.60	3424.20	3424.20	3424.20	3424.20	3424.20
O-5.....	2339.10	2746.80	2936.70	2936.70	2936.70	2936.70	3025.50
O-4.....	1971.90	2401.20	2561.40	2561.40	2608.80	2724.00	2909.70
O-3 <sup>2</sup> .....	1832.40	2048.70	2190.30	2423.40	2539.20	2630.40	2772.60
O-2 <sup>2</sup> .....	1597.80	1745.10	2096.40	2166.90	2212.20	2212.20	2212.20
O-1 <sup>2</sup> .....	1387.20	1444.20	1745.10	1745.10	1745.10	1745.10	1745.10
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O-10 <sup>1</sup> .....	\$6711.90*	\$6711.90*	\$7191.90*	\$7191.90*	\$7673.40*	\$7673.40*	\$8151.60*
O-9.....	5869.80	5869.80	6359.40	6359.40	6711.90*	6711.90*	7191.99*
O-8.....	5635.20	5635.20	5869.80	6124.50	6359.40	6516.00	6516.00
O-7.....	4658.70	4891.50	5380.80	5751.00	5751.00	5751.00	5751.00
O-6.....	3424.20	3540.30	4100.10	4309.50	4403.40	4658.70	5052.60
O-5.....	3188.10	3402.00	3656.70	3868.40	3983.40	4122.60	4122.60
O-4.....	3073.20	3213.60	3354.60	3447.30	3447.30	3447.30	3447.30
O-3 <sup>2</sup> .....	2909.70	2981.40	2981.40	2981.40	2981.40	2981.40	2981.40
O-2 <sup>2</sup> .....	2212.20	2212.20	2212.20	2212.20	2212.20	2212.20	2212.20
O-1 <sup>2</sup> .....	1745.10	1745.10	1745.10	1745.10	1745.10	1745.10	1745.10

\* Basic pay is limited to the rate of basic pay for level V of the Executive Schedule, which is \$6,516.60 per month.

<sup>1</sup> While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, basic pay for this grade is \$8,994.60\*, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

<sup>2</sup> Does not apply to commissioned officers who have been credited with over 4 years' active service as an enlisted member or warrant officer.

Pay Grade	Commissioned Officers with over 4 years' active duty as an enlisted member or warrant officer						
				Over 4	Over 6	Over 8	Over 10
O-3.....				\$2423.40	\$2539.20	\$2630.40	\$2772.60
O-2.....				2166.90	2212.20	2282.10	2401.20
O-1.....				1745.10	1864.20	1932.90	2002.80
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
O-3.....	\$2909.70	\$3025.50	\$3025.50	\$3025.50	\$3025.50	\$3025.50	\$3025.50
O-2.....	2493.00	2561.40	2561.40	2561.40	2561.40	2561.40	2561.40
O-1.....	2072.70	2166.90	2166.90	2166.90	2166.90	2166.90	2166.90



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Pay Grade	Warrant Officers						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
W-4.....	\$1866.90	\$2002.80	\$2002.80	\$2046.70	\$2141.70	\$2236.20	\$2330.10
W-3.....	1696.80	1840.50	1840.50	1864.20	1885.80	2023.80	2141.70
W-2.....	1485.90	1607.70	1607.70	1654.80	1745.10	1840.50	1910.40
W-1.....	1238.10	1419.60	1419.60	1538.10	1607.70	1677.00	1745.10
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
W-4.....	\$2493.00	\$2608.80	\$2700.30	\$2772.60	\$2862.30	\$2958.00	\$3188.10
W-3.....	2212.20	2282.10	2350.20	2423.40	2517.00	2608.80	2700.30
W-2.....	1980.30	2048.70	2120.70	2190.30	2259.30	2350.20	2350.20
W-1.....	1817.10	1885.80	1956.30	2023.80	2096.40	2096.40	2096.40

Pay Grade	Enlisted Members						
	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10
E-9 <sup>1</sup> .....							\$2171.70
E-8.....						\$1821.30	1873.20
E-7.....	\$1271.40	\$1372.50	\$1423.50	\$1473.30	\$1523.40	1572.00	1622.40
E-6.....	1094.10	1192.20	1242.00	1294.80	1343.10	1391.70	1443.00
E-5.....	960.00	1044.90	1095.60	1143.30	1218.30	1268.10	1318.50
E-4.....	895.50	945.60	1001.10	1078.80	1121.40	1121.40	1121.40
E-3.....	843.60	889.80	925.50	962.10	962.10	962.10	962.10
E-2.....	811.80	811.80	811.80	811.80	811.80	811.80	811.80
E-1 <sup>2</sup> .....	724.20	724.20	724.20	724.20	724.20	724.20	724.20
E-1 <sup>3</sup> .....	669.60						
	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 26
E-9 <sup>1</sup> .....	\$2220.60	\$2271.00	\$2322.90	\$2374.80	\$2421.00	\$2548.20	\$2796.00
E-8.....	1922.70	1972.50	2024.70	2071.20	2122.20	2246.70	2496.90
E-7.....	1672.80	1748.70	1798.20	1848.30	1872.30	1998.00	2246.70
E-6.....	1517.40	1564.80	1615.50	1640.10	1640.10	1640.10	1640.10
E-5.....	1366.80	1391.70	1391.70	1391.70	1391.70	1391.70	1391.70
E-4.....	1121.40	1121.40	1121.40	1121.40	1121.40	1121.40	1121.40
E-3.....	962.10	962.10	962.10	962.10	962.10	962.10	962.10
E-2.....	811.80	811.80	811.80	811.80	811.80	811.80	811.80
E-1.....	724.20	724.20	724.20	724.20	724.20	724.20	724.20

<sup>1</sup> While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$3,398.70 regardless of cumulative years of service computed under section 205 of title 37, United States Code.

<sup>2</sup> Applies to personnel who have served 4 months or more on active duty.

<sup>3</sup> Applies to personnel who have served less than 4 months on active duty.

Part II—Basic Allowance for Quarters Rates

Pay Grade	Without dependents		With dependents
	Full rate <sup>1</sup>	Partial rate <sup>2</sup>	
Commissioned Officers			
O-10.....	\$635.40	\$50.70	\$781.80

## Part II—Basic Allowance for Quarters Rates—Continued

Pay Grade	Without dependents		With dependents
	Full rate <sup>1</sup>	Partial rate <sup>2</sup>	
O-9 .....	835.40	\$50.70	781.80
O-8 .....	835.40	\$50.70	781.80
O-7 .....	835.40	\$50.70	781.80
O-6 .....	582.90	39.60	704.40
O-5 .....	561.30	33.00	678.60
O-4 .....	520.20	26.70	598.50
O-3 .....	417.00	22.20	495.30
O-2 .....	330.90	17.70	422.70
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Commissioned Officers with over 4 years' active duty as an enlisted member or warrant officer			
O-3 .....	\$450.00	\$22.20	\$531.90
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E-5 .....	252.30	8.70	381.50
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## Part III—Basic Allowance for Subsistence Rates

Officers (per month) ..... \$123.92

Enlisted Members (per day)	E-1 (less than 4 months' active duty)	All Other Enlisted
When on leave or authorized to mess separately.....	\$5.46	\$5.91
When rations in-kind are not available.....	6.16	6.67
When assigned to duty under emergency conditions where no messing facilities of the United States are available....	8.17	8.84

## Part IV—Rate of Monthly Cadet or Midshipman Pay

The rate of monthly cadet or midshipman pay authorized by section 203(c)(1) of title 37, United States Code, is \$543.90.