

Originally Processed With FOIA(s):
2025-0235-S

FOIA Number:
2025-0235-S

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the George Bush Presidential
Library Staff.**

Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Chief of Staff, White House Office of
Series: Brady, Phillip D., Files
Subseries:

OA/ID Number: 20390
Folder ID Number: 20390-009

Folder Title:
[Executive Order: Seals for the National Security Council and Council of Economic Advisers]

Stack:	Row:	Section:	Shelf:	Position:
G	15	21	3	

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 1/3/91SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE <i>n/c</i>	☒	☐
SUNUNU <i>Concur</i>	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER <i>Concur</i>	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMEYER	☐	☐
XXXXXXXX CICONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST <i>n/c</i>	☒	☐	BOSKIN <i>approve</i>	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY <i>n/c</i>	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

*TO:
RM
(Never forwarded to
(P) per COS)*

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702

THE WHITE HOUSE

WASHINGTON

Phil:

The attached Executive Order has been cleared by all except Counsel. I gather that Counsel's problems with this are not legal, but policy: they are concerned that NSC functions too much outside the normal WH system in any event, and giving them a seal is symptomatic of that fact. On the other hand, other EXOP agencies (OA, USTR, CEQ) do have seals of their own, and both NSC and CEA were established over 40 years ago.

John Schmitz and Andy Card were going to talk about this issue. You may want to ask Andy about it and try to effect a compromise yourself -- that is a classic function of the Staff Secretary's office; indeed, on Executive Orders and bills, it's why comments are given only to us.

Once the issue is resolved, please return to me, and I'll put the proper cover note on this if it will be signed.

Thanks.

A handwritten signature in blue ink, followed by the date "1/11".



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in dark ink, reading "J. Michael Luttig", is positioned above the printed name.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert G. Damus", is written over the typed name.

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMEYER	☐	☐
XXXXXX CICCONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.


J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in dark ink, reading "J. Michael Luttig", is positioned above the typed name.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90

ACTION/CONCURRENCE/COMMENT DUE BY:

C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMEYER	☐	☐
XXXXXXXX Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

NC

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in dark ink, reading "J. Michael Luttig", is written over the typed name.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





Document No.

201400

91 JAN -3 WHITE HOUSE STAFFING MEMORANDUM

12/31/90

DATE: _____

ACTION/CONCURRENCE/COMMENT DUE BY: _____

C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMAYER	☐	☐
CICCONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

January 3, 1991

TO: JOHN GARDNER

NSC concurs in the recommendation that the President sign the Executive Order establishing official seals for NSC and CEA.

William F. Sittmann
Executive Secretary

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702

RECEIVED

91 JAN 2 A10:10



81 JAN -3 6H 3:35



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice
Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.


J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice
Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in dark ink, reading "J. Michael Luttig", is positioned above the typed name.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





91 JAN -3 AM 9:02 WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMAYER	☐	☐
XXXXXX Staff Secretary CICCONI	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

*No Comment
1/2/91
(Legislative Affairs
seal request
for the coming!)*

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.


J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in dark ink, reading "J. Michael Luttig".

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





91 JAN 2 PM 2:14

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90

ACTION/CONCURRENCE/COMMENT DUE BY:

C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMAYER	☐	☐
XXCICCONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

Approved
1-1-91
mgp

James W. Cicconi
 Assistant to the President
 and Deputy to the Chief of Staff
 Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:56

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice
Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

Handwritten signature of J. Michael Luttig in cursive script.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





JG-FYI

Document No. 201400

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90 ACTION/CONCURRENCE/COMMENT DUE BY: C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMAYER	☐	☐
XXXXXXXX CICONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.


J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice
Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in dark ink, reading "J. Michael Luttig", is positioned above the typed name.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert G. Damus".

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





THE WHITE HOUSE

WASHINGTON

January 4, 1991

91 JAN -4 PM 1:28

MEMORANDUM FOR THE PRESIDENT

FROM: ROGER B. PORTER *RBP*

SUBJECT: Proposed Executive Order Entitled "Seals for the
National Security Council & the Council of
Economic Advisors

We concur with the recommendation that you sign the
proposed Executive order.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 12/31/90

ACTION/CONCURRENCE/COMMENT DUE BY:

C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMAYER	☐	☐
XX/XX/XX CICCONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

RESPONSE:

James W. Cicconi
Assistant to the President
and Deputy to the Chief of Staff
Ext. 2702



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice
Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.


J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice
Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,





WHITE HOUSE STAFFING MEMORANDUM

91 JAN -3 PM 5:34

DATE: 12/31/90

ACTION/CONCURRENCE/COMMENT DUE BY:

C.O.B. 1/3/91

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED "SEALS FOR THE NATIONAL SECURITY COUNCIL & THE COUNCIL OF ECONOMIC ADVISERS"

	ACTION FYI			ACTION FYI	
VICE PRESIDENT	☐	☒	MCCLURE	☒	☐
SUNUNU	☐	☒	NEWMAN	☐	☐
SCOWCROFT	☒	☐	PORTER	☒	☐
DARMAN	☐	☐	ROGICH	☐	☐
CARD	☐	☒	UNTERMEYER	☐	☐
XXXXXX CICONI Staff Secretary	☐	☒	CLERK	☐	☒
DEMAREST	☒	☐	BOSKIN	☒	☐
FITZWATER	☐	☒		☐	☐
GRAY	☒	☐		☐	☐
HAGIN	☐	☐		☐	☐
HOLIDAY	☒	☐		☐	☐

REMARKS:

Please provide any comments/recommendations directly to my office by close of business on Thursday, 01/03/91. Thanks.

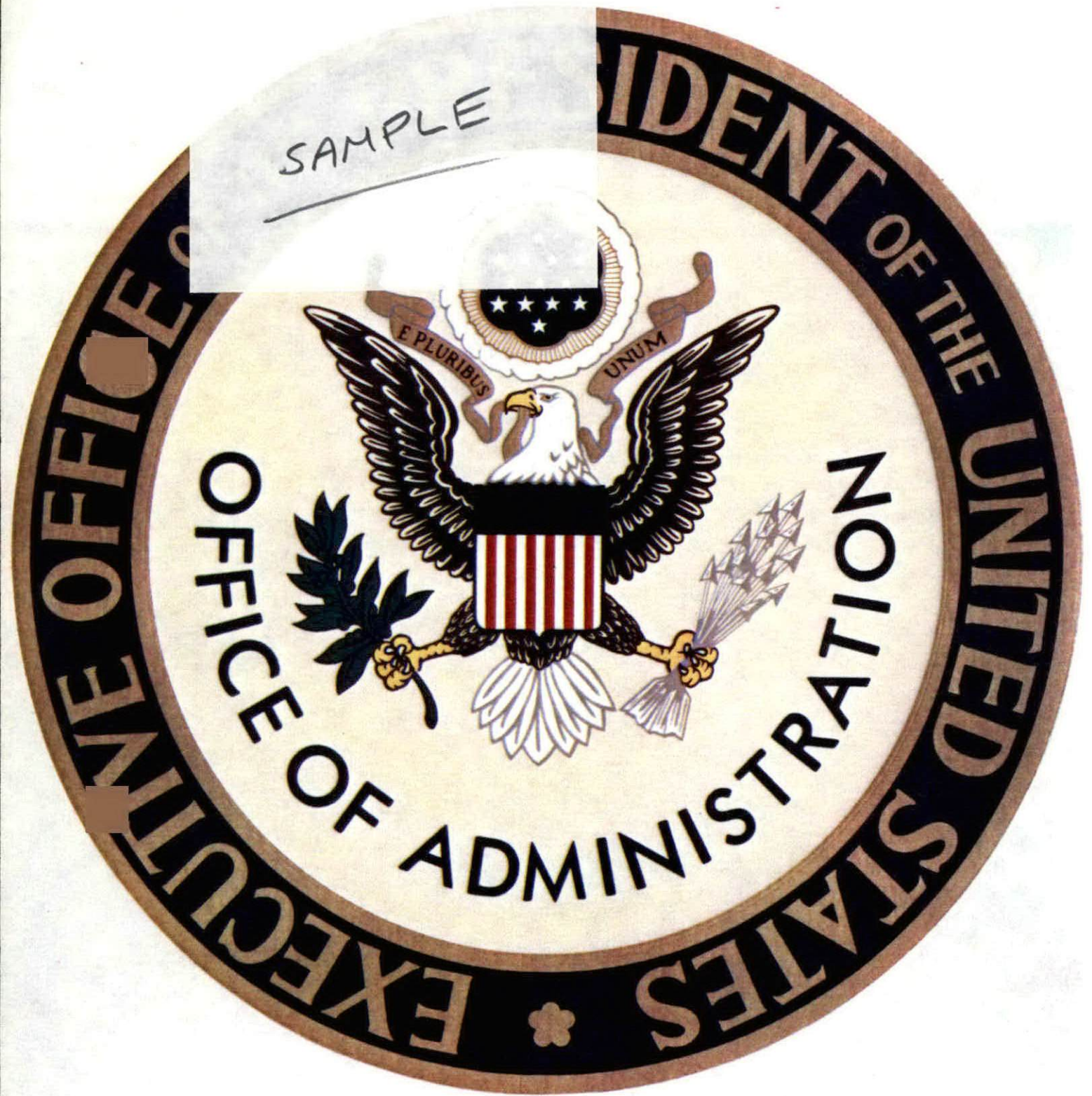
RESPONSE:

NO COMMENTS. THANKS.

 HOLLY WILLIAMSON *HW*
 1-3-91

 James W. Cicconi
 Assistant to the President
 and Deputy to the Chief of Staff
 Ext. 2702

SAMPLE





October 31, 1990

MEMORANDUM FOR THE FILE

FROM: Mac Reed
Assistant General Counsel

SUBJECT: Executive Order Entitled "Seals for the
Security Council and the Council of
Economic and Social Affairs"

The following Departments and agencies do not
object to the proposed Executive order:

1. White House Council's Office ... A. Schwartz (456-2898)

2. State Department Policy C. Kolb (456-6518)

3. Department of Defense R. Hart (514-3712)

The White House

October 31, 1990

MEMORANDUM FOR THE FILE

FROM: Mac Reed
Assistant General Counsel

SUBJECT: Proposed Executive Order Entitled "Seals for the
National Security Council and the Council of
Economic Advisers"

The following Executive Departments and agencies do not
object to the proposed Executive order:

1. White House Counsel's Office ... A. Schwartz (456-2898)
2. White House Office of Policy
Development C. Kolb (456-6518)
3. Department of Justice R. Hart (514-3712)

THE WHITE HOUSE

WASHINGTON

October 18, 1990

MEMORANDUM FOR ROBERT G. DAMUS
ACTING GENERAL COUNSEL, OFFICE OF MANAGEMENT AND
BUDGET

FROM: AMY L. SCHWARTZ *MS*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Proposed Executive Order
Entitled "Seals for the National Security Council
and the Council of Economic Advisors"

I have reviewed for Counsel's Office the proposed order
establishing an NSC and CEA seal.

From a policy perspective, I continue to be skeptical about the
need for establishment of a seal -- especially since the NSC
proposal to create an NSC seal seems now to have spawned a
similar CEA proposal. No doubt other seal-less agencies will
follow suit. Even if costs are kept down, establishment of seals
in this time of budgetary stress could be criticized as being
frivolous.

Notwithstanding the above, we have no legal objections to the
order.

Feel free to contact me if you have any questions.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D C 20503

SEP 17 1990

MEMORANDUM FOR DESIGNATED AGENCY HEADS
(SEE ATTACHED DISTRIBUTION LIST)

FROM: Robert G. Damus *RG-D by memo 10/1/90*
Acting General Counsel

SUBJECT: Proposed Executive Order Entitled "Seals for the
National Security Council and the Council of
Economic Advisers

Attached is a proposed Executive order entitled "Seals for the National Security Council and the Council of Economic Advisors."

It was prepared by this office in accordance with the provisions of Executive Order No. 11030, as amended.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. If you have any comments or objections, they should be received no later than close of business Tuesday, September 18, 1990. Agencies that do not respond by the September 18 deadline will be recorded as not objecting to the proposal.

Comments or inquiries may be submitted by telephone to Mr. Mac Reed or Ms. Bess Weaver of this office (Phone: 395-5600; Fax: 395-7294).

Thank you.

Attachments - Distribution List
Proposed Executive Order

cc: Ed Dale
Bob Grady
Kim Gibson
Janet Hale
Frank Hodsoll
Bob Howard
Jim MacRae
Jim Murr
Tom Scully

Distribution List

Honorable Dick Thornburgh
United States Attorney General

Honorable C. Boyden Gray
Counsel to the President

Honorable Charles Kolb
Deputy Assistant to the President
for Domestic Policy





EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs which are attached hereto and made a part of this order.

THE WHITE HOUSE,

for higher categories of classified security information, but ordinarily shall be stored in a container equipped with a reasonably secure locking device, or in any other storage facility of comparable security approved by the head of the agency.

b. Inspections. (1) It shall be the responsibility of the individual charged with the custody of classified security information to accomplish the necessary inspections within his area to insure that all procedural safeguards prescribed by these regulations are taken to protect such information at all times.

(2) In each agency individuals shall be designated to make inspections on a room or area basis to insure that all classified security information has been properly and safely stored.

c. Safe combinations. (1) Safe combinations shall be changed at least once a year; whenever a person knowing the combination is transferred from the office to which the safe is assigned; when a safe is first brought into an office; when the combination has been subjected to compromise; and at such other times as is deemed necessary.

(2) Knowledge of combinations shall be limited to the minimum necessary for operating purposes.

(3) Safe combinations shall be given a security classification equivalent to that of the most highly classified security information authorized by these regulations to be contained in the safe.

35. Destruction of Classified Security Information—a. Types of material which may be destroyed—(1) Record material may be destroyed only in accordance with the Act of July 7, 1943, c. 192, 57 Stat. 380, as amended [sections 366-380 of Title 44].

(2) Nonrecord material may be destroyed as soon as it has served its purpose.

b. Methods of destruction. Classified record material, the destruction of which has been authorized, and classified non-record material shall be destroyed by the following methods under procedures established by the head of the agency:

(1) "Top Secret," "Secret" and "Confidential" security documents shall be destroyed by burning; products and substances by an equally complete method of destruction; in each case in the presence of an appropriate official. The head of an agency may authorize destruction of documents other than by burning, provided the resulting destruction is equally complete.

(2) "Restricted" security information shall be destroyed by burning, shredding or reduction to pulp, or an equally complete method of destruction.

c. Records of destruction. Appropriate records of destruction of material classified "Top Secret" and "Secret" combined with the identification "Security Information," shall be maintained in accordance with procedures established by the head of the agency.

PART VII—INTERPRETATION OF REGULATIONS BY THE ATTORNEY GENERAL

36. The Attorney General, upon request of the head of a department or agency or his duly designated representative, shall personally or through authorized representatives of the Department of Justice render an interpretation of these regulations in connection with any problems arising out of their administration.

§ 402. National Security Council—(a) Establishment; presiding officer; functions; composition

There is established a council to be known as the National Security Council (hereinafter in this section referred to as the "Council").

The President of the United States shall preside over meetings of the Council: *Provided*, That in his absence he may designate a member of the Council to preside in his place.

The function of the Council shall be to advise the President with respect to the integration of domestic, foreign, and military policies relating to the national security so as to enable the military serv-

ices and the other departments and agencies of the Government to cooperate more effectively in matters involving the national security.

The Council shall be composed of—

- (1) the President;
- (2) the Vice President;
- (3) the Secretary of State;
- (4) the Secretary of Defense;
- (5) the Director for Mutual Security;
- (6) the Chairman of the National Security Resources Board; and
- (7) The Secretaries and Under Secretaries of other executive departments and of the military departments, the Chairman of the Munitions Board, and the Chairman of the Research and Development Board, when appointed by the President by and with the advice and consent of the Senate, to serve at his pleasure.

Additional functions

(b) In addition to performing such other functions as the President may direct, for the purpose of more effectively coordinating the policies and functions of the departments and agencies of the Government relating to the national security, it shall, subject to the direction of the President, be the duty of the Council—

(1) to assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security, for the purpose of making recommendations to the President in connection therewith; and

(2) to consider policies on matters of common interest to the departments and agencies of the Government concerned with the national security, and to make recommendations to the President in connection therewith.

Executive secretary; appointment and compensation; staff employees

(c) The Council shall have a staff to be headed by a civilian executive secretary who shall be appointed by the President, and who shall receive compensation at the rate of \$10,000 a year. The executive secretary, subject to the direction of the Council, is authorized, subject to the civil-service laws and the Classification Act of 1949, to appoint and fix the compensation of such personnel as may be necessary to perform such duties as may be prescribed by the Council in connection with the performance of its functions.

Recommendations and reports

(d) The Council shall, from time to time, make such recommendations, and such other reports to the President as it deems appropriate or as the President may require. July 26, 1947, c. 343, Title I, § 101, 61 Stat. 497; Aug. 10, 1949, c. 412, § 3, 63 Stat. 579; Oct.

28, 1949, c. 782, Title XI, § 1106(a), 63 Stat. 972; Oct. 10, 1951, c. 479, Title V, § 501(e) (1), 65 Stat. 378.

Historical Note

References in Text. The civil-service laws and the Classification Act of 1949, referred to in text of subsection (c), are classified to chapters 12 and 21 of Title 5, Executive Departments and Government Officers and Employees.

1951 Amendment. Subsec. (a) amended by Act Oct. 10, 1951, which inserted clause (5), relating to Director for Mutual Security, in fourth paragraph, and renumbered former clauses (5) and (6) thereof as clauses (6) and (7), respectively.

1949 Amendments. Subsec. (c) amended by Act Oct. 28, 1949, cited to text, which changed "Classification Act of 1923, as amended" to "Classification Act of 1949".

Subsec. (a) amended by Act Aug. 10, 1949, cited to text, to add the Vice President to the Council, to remove the Secretaries of the military departments, to authorize the President to add, with the

consent of the Senate, Secretaries and Under Secretaries of other executive departments and of the military department, and the Chairmen of the Munitions Board and the Research and Development Board.

Effective Date. For effective date of this section see note set out under section 171 of Title 5, Executive Departments and Government Officers and Employees.

Transfer of Functions. The National Security Council, together with its functions, records, property, personnel, and unexpended balances of appropriations, allocations, and other funds (available or to be made available) were transferred to the Executive Office of the President by 1949 Reorg. Plan No. 4, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1087. See note set out under section 133z-15 of Title 5, Executive Departments and Government Officers and Employees.

§ 403. Central Intelligence Agency—(a) Establishment; Director; appointment and compensation

There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence, who shall be the head thereof. The Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services or from among individuals in civilian life. The Director shall receive basic compensation at the rate of \$16,000 per annum.

Commissioned officer as Director; powers and limitations; effect on commissioned status

(b) (1) If a commissioned officer of the armed services is appointed as Director then—

(A) in the performance of his duties as Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force,

or any branch, bureau, unit or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1) of this subsection, the appointment to the office of Director of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, receive the military pay and allowances (active or retired, as the case may be) payable to a commissioned officer of his grade and length of service and shall be paid, from any funds available to defray the expenses of the Agency, annual compensation at a rate equal to the amount by which \$16,000 exceeds the amount of his annual military pay and allowances.

**Termination of employment of officers and employees;
effect on right of subsequent employment**

(c) Notwithstanding the provisions of section 652 of Title 5, or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission.

Powers and duties

(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council—

(1) to advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

(2) to make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities: *Provided*, That the Agency shall have no police, subpoena, law-enforcement powers, or internal-security functions: *Provided further*, That the departments and other agen-

cies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure;

(4) to perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

(5) to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Inspection of intelligence of other departments

(e) To the extent recommended by the National Security Council and approved by the President, such intelligence of the departments and agencies of the Government, except as hereinafter provided, relating to the national security shall be open to the inspection of the Director of Central Intelligence, and such intelligence as relates to the national security and is possessed by such departments and other agencies of the Government, except as hereinafter provided, shall be made available to the Director of Central Intelligence for correlation, evaluation, and dissemination: *Provided, however*, That upon the written request of the Director of Central Intelligence, the Director of the Federal Bureau of Investigation shall make available to the Director of Central Intelligence such information for correlation, evaluation, and dissemination as may be essential to the national security.

Termination of National Intelligence Authority; transfer of personnel, property, records, and unexpended funds

(f) Effective when the Director first appointed under subsection (a) of this section has taken office—

(1) the National Intelligence Authority (11 Fed. Reg. 1337, 1339, February 5, 1946) shall cease to exist; and

(2) the personnel, property, and records of the Central Intelligence Group are transferred to the Central Intelligence Agency, and such Group shall cease to exist. Any unexpended balances of appropriations, allocations, or other funds available or authorized to be made available for such Group shall be available and shall be authorized to be made available in like manner for expenditure by the Agency. July 26, 1947, c. 343, Title I, § 102, 61 Stat. 497; Oct. 15, 1949, c. 695, § 4, 63 Stat. 880.

Historical Note

1949 Amendment. Subsec. (a) amended by Act Oct. 15, 1949, cited to text, to increase Director's compensation from \$14,000 to \$16,000 per annum.

Effective Date of 1949 Amendment. The increased compensation provided for by Act Oct. 15, 1949, cited to text, took effect on the first day of the first pay period which began after Oct. 15, 1949 by the provisions of section 9 of said Act Oct. 15, 1949, which is set out as a note under section 3 of Title 5, Executive De-

partments and Government Officers and Employees.

Effective Date. For effective date of this section see note set out under section 171 of Title 5, Executive Departments and Government Officers and Employees.

Compensation of Deputy Director. Section 6(a) of Act Oct. 15, 1949, cited to text, increased the basic compensation of the Deputy Director from \$10,000 to \$14,000 per annum.

§ 403a. Same; definitions

When used in sections 403b-403j of this title, the term—

- (a) "Agency" means the Central Intelligence Agency;
- (b) "Director" means the Director of Central Intelligence;
- (c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government; and

- (d) "Continental United States" means the States and the District of Columbia. June 20, 1949, c. 227, § 1, 63 Stat. 208.

Historical Note

Codification. Section was not enacted as a part of the National Security Act of 1947 part of which comprises this chapter.

Short Title. Congress in enacting sections 403a-403j of this title provided by section 12 of Act June 20, 1949, that said sections should be popularly known as the "Central Intelligence Agency Act of 1949".

Separability Clause. Section 11 of Act June 20, 1949, cited to text, provided: "If any provision of this Act [sections

403a-403j of this title], or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act [said sections] or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

Legislative History: For legislative history and purpose of Act June 20, 1949, cited to text, see 1949 U.S. Code Cong. Service, p. 1395.

§ 403b. Same; seal of office

The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve, and judicial notice shall be taken thereof. June 20, 1949, c. 227, § 2, 63 Stat. 208.

Historical Note

Codification. Section was not enacted as a part of the National Security Act of 1947 part of which comprises this chapter.

50 § 401

Note 15

reposed in him and use the resulting publication as legitimizing his own subsequent open and public disclosure of the same information on the theory that the information was in the public domain. *Alfred A. Knopf, Inc. v. Colby*, C.A.Va. 1975, 509 F.2d 1362, certiorari denied 95 S.Ct. 1555, 421 U.S. 908, 43 L.Ed.2d 772, certiorari denied 95 S.Ct. 1999, 421 U.S. 992, 44 L.Ed.2d 482, rehearing denied 95 S.Ct. 2669, 422 U.S. 1049, 45 L.Ed.2d 702.

16. Confirmation or denial of existence

Pursuant to Ex. Order No. 12065, set out as a note under this section, Central Intelligence Agency was not required to confirm or deny existence of requested information relating to publication of book "Chile's Marxist Experiment." *Edwards v. Central Intelligence Agency*, D.C.D.C.1981, 512 F.Supp. 689.

17. National security information

Ex. Ord. No. 12065, set out as a note under this section, concerning certain matters to be kept secret in interest of national defense or foreign policy, does not supersede provision of section 403 of this title that Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, or make itself prerequisite for application of exemption from disclosure under Freedom of Information Act, section 552 of Title 5, for matters specifically exempted from disclosure by certain class of statutes. *Gardels v. C. I. A.*, 1982, 689 F.2d 1100, 223 U.S.App.D.C. 88.

National Security Agency properly classified documents donated to library by former NSA employee where disclosure of such information could have been reasonably expected to cause serious damage to the national security, despite NSA's failure to strictly comply with classification scheme authorized in Executive Order No. 12336, relating to reclassification of previously declassified information. *American Library Ass'n v. Faurer*, D.D.C.1986, 631 F.Supp. 416, affirmed 818 F.2d 81, 260 U.S.App.D.C. 215.

18. Standing

Religious and political organizations, journalists, academics, and politically active individuals, who alleged "fear" and "concern" that they "may be targeted" for intelligence-gathering activities pursuant to Executive Order 12333, set out as a note under this section establishing framework for governmental and military intelligence-gathering functions but introduced no evidence to support their claim beyond allegations that some of them had been subject to possibly illegal surveillance before order was promulgated, had failed to allege any redressable concrete injury attributable to Executive Order and therefore lacked standing to challenge order. *United Presbyterian Church in U.S.A. v. Reagan*, D.C.D.C.1982, 557 F.Supp. 61, affirmed 738 F.2d 1375, 238 U.S.App.D.C. 229.

WAR AND NATIONAL DEFENSE

19. Authority of Secretary

It was entirely within authority of Secretary Defense to approve Navy's request to provide available space at military reservation, which was within boundaries of Gateway Recreation Area for the use of Navy Resale and Support Office and to direct Army to exclude from its disposal report to congressional committees that space from the portions of the military reservation which Army had previously declared to be excess and thus eligible for inclusion in Gateway Recreation Area; fact that Navy Resale and Support Office's functions could have been carried on elsewhere did not provide a basis for court's intervention in military decisions concerning the equipping of military forces. *Natural Resources Defense Council, Inc. v. Marsh*, D.C.N.Y.1983, 56 F.Supp. 1387.

20. Review

On de novo review of Central Intelligence Agency censorship pursuant to secrecy agreement signed by former agents, courts should, though deferring to Agency judgment as to harmful result of publication of subject material by agents, nevertheless satisfy themselves from the record, in camera or otherwise, that the Agency in fact had good reason to classify, and therefore censor, material at issue; accordingly, courts should require the Agency explanations justify censorship with reasonable specificity, demonstrating logical connection between deleted information and reasons for classification. *McGehee v. Casey*, 1983, 718 F.2d 1137, 231 U.S.App.D.C. 99.

21. Unclassified material

Unclassified materials or information obtained from public sources may not be censored, contractually or otherwise, by the government, inasmuch as government has no legitimate interest in censoring unclassified materials and, moreover, where information at issue derives from public source, Central Intelligence Agency agent's special relationship of trust with government is greatly diminished if not wholly vitiated. *McGehee v. Casey*, C.A.D.C.1983, 718 F.2d 1137.

22. Private right of action

Remedy of private action for damages would not be implied for violations of the War Powers Resolution, § 2-9, 2(a), 50 U.S.C.A. §§ 1541-1548, 1541(a), the Department of State Authorization Act, Fiscal Years 1984 and 1985 § 1013, 50 U.S.C.A. § 1546a, or the National Security Act of 1947, § 2 et seq., as amended, 50 U.S.C.A. § 401 et seq., because such acts do not identify any special class to be benefited, but rather, were intended to protect the general public by dividing responsibility between the executive and legislative branches of government, or among the various agencies of the executive, in order to secure sound and efficient conduct of military and foreign affairs. *Sanchez-Espinoza v. Reagan*, C.A.D.C.1985, 770 F.2d 202.

SUBCHAPTER I—COORDINATION FOR NATIONAL SECURITY

§ 402. National Security Council

[See main volume for text of (a) and (b)]

ees Salary Increase Act of 1958, 72 Stat. 213), respectively.

Section 1 exempted the National Security Agency from the provisions of the Classification Act of 1949, chapter 51 of Title 5. Section 3 deleted provision permitting the Secretary of Defense to establish not more than 50 research and development positions in the National Security Agency.

Sections 2 and 4 to 16 of Pub.L. 86-36 provided as follows:

"Sec. 2. The Secretary of Defense (or his designee for the purpose) is authorized to establish such positions, and to appoint thereto, without regard to the civil service laws, such officers and employees, in the National Security Agency, as may be necessary to carry out the functions of such agency. The rates of basic compensation for such positions shall be fixed by the Secretary of Defense (or his designee for the purpose) in relation to the rates of basic compensation contained in the General Schedule of the Classification Act of 1949, as amended [chapter 51 of Title 5], for positions subject to such Act which have corresponding levels of duties and responsibilities. Except as provided in subsections (f) and (g) of section 303 of the Federal Executive Salary Act of 1964 [see sections 5316(100) and 5317 of Title 5], no officer or employee of the National Security Agency shall be paid basic compensation at a rate in excess of the highest rate of basic compensation contained in such General Schedule. Not more than seventy such officers and employees shall be paid basic compensation at rates equal to rates of basic compensation contained in grades 16, 17, and 18 of such General Schedule. [As amended Pub.L. 87-367, Title II, § 201, Oct. 4, 1961, 75 Stat. 789; Sept. 23, 1950, c. 1024, Title III, § 306(a), as added Mar. 26, 1964, Pub.L. 88-290, 78 Stat. 170; Aug. 14, 1964, Pub.L. 88-426, Title III, § 306(h), 78 Stat. 430; Oct. 6, 1964, Pub.L. 88-631, § 3(d), 78 Stat. 1008; Oct. 8, 1966, Pub.L. 89-632, § 1(e), 80 Stat. 878].

"Sec. 4. The Secretary of Defense (or his designee for the purpose) is authorized to—

"(1) establish in the National Security Agency (A) professional engineering positions primarily concerned with research and development and (B) professional positions in the physical and natural sciences, medicine, and cryptology; and

"(2) fix the respective rates of pay of such positions at rates equal to rates of basic pay contained in grades 16, 17, and 18 of the General Schedule set forth in section 5332 of title 5, United States Code [section 5332 of Title 5, Government Organization and Employees].

Officers and employees appointed to positions established under this section shall be in addition to the number of officers and employees appointed to positions under section 2 of this Act who may be paid at rates equal to rates of basic pay contained in grades 16, 17, and 18 of the General Schedule. [As amended Pub.L. 87-367, Title II, § 204, Oct. 4, 1961, 75 Stat. 791; Pub.L. 87-793, § 1001(c), Oct. 11, 1962, 76 Stat. 864; Oct. 8, 1966, Pub.L. 89-632, § 1(e), 80 Stat. 878; Pub.L. 91-187, § 2, Dec. 30, 1969, 83 Stat. 850].

"Sec. 5. Officers and employees of the National Security Agency who are citizens or nationals of the United States may be granted additional

compensation, in accordance with regulation which shall be prescribed by the Secretary of Defense, not in excess of additional compensation authorized by section 207 of the Independent Offices Appropriation Act, 1949, as amended (U.S.C. 118h) [now 5 U.S.C. § 5941], for employees whose rates of basic compensation are fixed by statute.

"Sec. 6. (a) Except as provided in subsection (b) of this section, nothing in this Act or any other law (including, but not limited to, the first section and section 2 of the Act of August 21, 1935 (5 U.S.C. 654)) [Repealed by Pub.L. 86-62, 74 Stat. 427] shall be construed to require the disclosure of the organization or any function of the National Security Agency, of any information with respect to the activities thereof, or of the names, titles, salaries, or number of the persons employed by such agency.

"(b) The reporting requirements of section 158 of title 10, United States Code, shall apply to positions established in the National Security Agency in the manner provided by section 4 of this Act.

"Sec. 7. [Repealed. Pub.L. 89-554, § 8(a) Sept. 6, 1966, 80 Stat. 660].

"Sec. 8. The foregoing provisions of this Act shall take effect on the first day of the first period which begins later than the thirtieth day following the date of enactment of this Act.

"Sec. 9. (a) Notwithstanding section 322 of the Act of June 30, 1932 (40 U.S.C. 278a) [section 278a of Title 40, Public Buildings, Property, and Works], section 5536 of Title 5, United States Code [section 5536 of Title 5], and section 2675 of title 10, United States Code [section 2675 of Title 10], the Director of the National Security Agency on behalf of the Secretary of Defense, may lease real property outside the United States, for periods not exceeding ten years, for the use of the National Security Agency for special cryptologic activities and for housing for personnel assigned to such activities.

"(b) The Director of the National Security Agency, on behalf of the Secretary of Defense may provide to certain civilian and military personnel of the Department of Defense who are assigned to special cryptologic activities outside the United States and who are designated by the Secretary of Defense for the purposes of this subsection—

"(1) allowances and benefits—

"(A) comparable to those provided by the Secretary of State to members of the Foreign Service under chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) [section 4081 et seq. of Title 22, Foreign Relations and Intercourse] or any other provision of law; and

"(B) in the case of selected personnel serving in circumstances similar to those in which personnel of the Central Intelligence Agency serve, comparable to those provided by the Director of Central Intelligence to personnel of the Central Intelligence Agency; [sic]

"(2) housing (including heat, light and household equipment) without cost to such personnel, if the Director of the National Security Agency, on behalf of the Secretary of Defense deter-

mines that it would be in the public interest to provide such housing; and

"(3) special retirement accrual in the same manner provided in section 303 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees (50 U.S.C. 403 note) and in section 18 of the Central Intelligence Agency Act of 1949 [section 403r of this title]."

[Amended Pub.L. 101-193, Title V, § 505(b), Nov. 30, 1989, 103 Stat. 1709.]

[Amended Pub.L. 99-335, Title V, § 507(a), June 6, 1986, 100 Stat. 628. For effective date of amendment as Jan. 1, 1987, see section 702(a) of Pub.L. 99-335, set out as a note under section 8401 of Title 5.]

"(c) The authority of the Director of the National Security Agency, on behalf of the Secretary of Defense, to make payments under subsections (a) and (b), and under contracts for leases entered into under subsection (a), is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

"(d) Members of the Armed Forces may not receive benefits under both subsection (b)(1) and title 37, United States Code [Title 37, Pay and Allowances of the Uniformed Services], for the same purpose. The Secretary of Defense shall prescribe such regulations as may be necessary to carry out this subsection.

"(e) Regulations issued pursuant to subsection (b)(1) shall be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate before such regulations take effect.

"Sec. 10. (a) The Director of the National Security Agency shall arrange for, and shall prescribe regulations concerning language and language-related training, programs for military and civilian cryptologic personnel. In establishing programs under this section for language and language-related training, the Director—

"(1) may provide for the training and instruction to be furnished, including functional and geographic area specializations;

"(2) may arrange for training and instruction through other Government agencies and, in any case in which appropriate training or instruction is unavailable through Government facilities, through nongovernmental facilities that furnish training and instruction useful in the fields of language and foreign affairs;

"(3) may support programs that furnish necessary language and language-related skills, including, in any case in which appropriate programs are unavailable at Government facilities, support through contracts, grants, or cooperation with nongovernmental educational institutions; and

"(4) may obtain by appointment or contract the services of individuals to serve as language instructors, linguists, or special language project personnel.

"(b)(1) In order to maintain necessary capability in foreign language skills and related abilities needed by the National Security Agency, the Director, without regard to subchapter IV of chapter 55 of title 5, United States Code [section 5531 et seq., of Title 5, Government Organization and Employees], may provide special monetary or other

incentives to encourage civilian cryptologic personnel of the Agency to acquire or retain proficiency in foreign languages or special related abilities needed by the Agency.

"(2) In order to provide linguistic training and support for cryptologic personnel, the Director—

"(A) may pay all or part of the tuition and other expenses related to the training of personnel who are assigned or detailed for language and language-related training, orientation, or instruction; and

"(B) may pay benefits and allowances to civilian personnel in accordance with chapters 57 and 59 of title 5, United States Code [sections 5701 et seq. and 5901 et seq. of Title 5]; and to military personnel in accordance with chapter 7 of title 37, United States Code [section 401 et seq. of Title 37], and applicable provisions of title 10, United States Code [Title 10, Armed Forces], when such personnel are assigned to training at sites away from their designated duty station.

"(c)(1) To the extent not inconsistent, in the opinion of the Secretary of Defense, with the operation of military cryptologic reserve units and in order to maintain necessary capability in foreign language skills and related abilities needed by the National Security Agency, the Director may establish a cryptologic linguist reserve. The cryptologic linguist reserve may consist of former or retired civilian or military cryptologic personnel of the National Security Agency and of other qualified individuals, as determined by the Director of the Agency. Each member of the cryptologic linguist reserve shall agree that, during any period of emergency (as determined by the Director), the member shall return to active civilian status with the National Security Agency, and shall perform such linguistic or linguistic-related duties as the Director may assign.

"(2) In order to attract individuals to become members of the cryptologic linguist reserve, the Director, without regard to subchapter IV of chapter 55 of title 5, United States Code [section 5531 et seq. of Title 5], may provide special monetary incentives to individuals eligible to become members of the reserve who agree to become members of the cryptologic linguist reserve and to acquire or retain proficiency in foreign languages or special related abilities.

"(3) In order to provide training and support for members of the cryptologic linguist reserve, the Director—

"(A) may pay all or part of the tuition and other expenses related to the training of individuals in the cryptologic linguist reserve who are assigned to detailed for language and language-related training, orientation, or instruction; and

"(B) may pay benefits and allowances in accordance with chapters 57 and 59 of title 5, United States Code [sections 5701 et seq. and 5901 et seq. of Title 5], to individuals in the cryptologic linguist reserve who are assigned to training at sites away from their homes or regular places of business.

"(d)(1) The Director, before providing training under this section to any individual, may obtain an agreement with that individual that—

"(A) in the case of current employees, pertains to continuation of service of the employee,

and repayment of the expenses of such training for failure to fulfill the agreement, consistent with the provisions of section 4108 of title 5, United States Code [section 4108 of Title 5]; and

"(B) in the case of individuals accepted for membership in the cryptologic linguist reserve, pertains to return to service when requested, and repayment of the expenses of such training for failure to fulfill the agreement, consistent with the provisions of section 4108 of title 5, United States Code [section 4108 of Title 5].

"(2) The Director, under regulations prescribed under this section, may waive, in whole or in part, a right of recovery under an agreement made under this subsection if it is shown that the recovery would be against equity and good conscience or against the public interest.

"(e)(1) Subject to paragraph (2), the Director may provide to family members of military and civilian cryptologic personnel assigned to representational duties outside the United States, in anticipation of the assignment of such personnel outside the United States or while outside the United States, appropriate orientation and language training that is directly related to the assignment abroad.

"(2) Language training under paragraph (1) may not be provided to any individual through payment of the expenses of tuition or other cost of instruction at a non-Government educational institution unless appropriate instruction is not available at a Government facility.

"(f) The Director may waive the applicability of any provision of chapter 41 of title 5, United States Code [section 4101 et seq. of Title 5], to any provision of this section if he finds that such waiver is important to the performance of cryptologic functions.

"(g) The authority of the Director to enter into contracts or to make grants under this section is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

"(h) Regulations issued pursuant to this section shall be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate before such regulations take effect.

"(i) The Director of the National Security Agency, on behalf of the Secretary of Defense, may, without regard to section 4109(a)(2)(B) of Title 5, United States Code [section 4109(a)(2)(B) of Title 5], pay travel, transportation, storage, and subsistence expenses under chapter 57 of such title [section 5701 et seq. of Title 5] to civilian and military personnel of the Department of Defense who are assigned to duty outside the United States for a period of one year or longer which involves cryptologic training, language training, or related disciplines.

"Sec. 11. The Administrator of General Services, upon the application of the Director of the National Security Agency, may provide for the protection in accordance with section 3 of the Act of June 1, 1948 (40 U.S.C. 318b) [section 318b of Title 40], of certain facilities (as designated by the Director of such Agency) which are under the Administration and control of, or are used by, the National Security Agency in the same manner as if such facilities were property of the United States

over which the United States has acquired exclusive or concurrent criminal jurisdiction.

"Sec. 12. (a)(1) The Secretary of Defense (or his designee) may by regulation establish a personnel system for senior civilian cryptologic personnel in the National Security Agency to be known as the Senior Cryptologic Executive Service. The regulations establishing the Senior Cryptologic Executive Service shall—

"(A) meet the requirements set forth in section 3131 of title 5, United States Code [section 3131 of Title 5], for the Senior Executive Service;

"(B) provide that positions in the Senior Cryptologic Executive Service meet requirements that are consistent with the provisions of section 3132(a)(2) of such title [section 3132(a)(2) of Title 5];

"(C) provide, without regard to section 5382 of such title, rates of pay for the Senior Cryptologic Executive Service that are not in excess of the maximum rate or less than the minimum rate of basic pay established for the Senior Executive Service under section 5382 of such title [section 5382 of Title 5], and that are adjusted at the same time and to the same extent as rates of basic pay for the Senior Executive Service are adjusted;

"(D) provide a performance appraisal system for the Senior Cryptologic Executive Service that conforms to the provisions of subchapter I of chapter 43 of such title [section 4311 et seq. of Title 5];

"(E) provide for removal consistent with section 3392 of such title, and removal or suspension consistent with subsections (a), (b), and (c) of section 7543 of such title [section 7543 of Title 5] (except that any hearing or appeal in which a member of the Senior Cryptologic Executive Service is entitled shall be held or decided pursuant to procedures established by regulations of the Secretary of Defense or his designee);

"(F) permit the payment of performance awards to members of the Senior Cryptologic Executive Service consistent with the provision applicable to performance awards under section 5384 of such title [section 5384 of Title 5];

"(G) provide that members of the Senior Cryptologic Executive Service may be granted sabbatical leaves consistent with the provision of section 3396(c) of such title [section 3396(c) of Title 5]; and

"(H) provide for the recertification of members of the Senior Cryptologic Executive Service consistent with the provisions of section 3393 of such title [section 3393a of Title 5].

[Pub.L. 101-194, Title V, § 506(d), Nov. 30, 1989, 103 Stat. 1759, provided that par. (H) effective Jan. 1, 1991.]

"(2) Except as otherwise provided in subsection (a), the Secretary provided in (or his designee) may—

"(A) make applicable to the Senior Cryptologic Executive Service any of the provisions of title 5, United States Code [Title 5, Government Organization and Employees], applicable to applicants for or members of the Senior Executive Service; and

INTN

WAR POWERS
REPORTING REQ.
50 USC 1543

NATIONAL
EMERGENCIES
ACT

WAR AND NATIONAL DEFENSE

50 § 402

"(B) appoint, promote, and assign individuals to positions established within the Senior Cryptologic Executive Service without regard to the provisions of title 5, United States Code [Title 5, Government Organization and Employees], governing appointments and other personnel actions in the competitive service.

"(3) the President, based on the recommendations of the Secretary of Defense, may award ranks to members of the Senior Cryptologic Executive Service in a manner consistent with the provisions of section 4507 of title 5, United States Code [section 4507 of Title 5].

"(4) Notwithstanding any other provision of this section, the Director of the National Security Agency may detail or assign any member of the Senior Cryptologic Executive Service to serve in a position outside the National Security Agency in which the member's expertise and experience may be of benefit to the National Security Agency or another Government agency. Any such member shall not by reason of such detail or assignment lose any entitlement or status associated with membership in the Senior Cryptologic Executive Service.

"(5) The Director of the National Security Agency shall each year submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate, at the time the Budget is submitted by the President to the Congress for the next fiscal year, a report on executive personnel in the National Security Agency. The report shall include—

"(A) the total number of positions added to or deleted from the Senior Cryptologic Executive Service during the preceding fiscal year;

"(B) the number of executive personnel (including all members of the Senior Cryptologic Executive Service) being paid at each grade level and pay rate in effect at the end of the preceding fiscal year;

"(C) the number, distribution, and amount of awards paid to members of the Senior Cryptologic Executive Service during the preceding fiscal year; and

"(D) the number of individuals removed from the Senior Cryptologic Executive Service during the preceding fiscal year for less than fully successful performance.

"(b) The Secretary of Defense (or his designee) may by regulation establish a merit pay system for such employees of the National Security Agency as the Secretary of Defense (or his designee) considers appropriate. The merit pay system shall be designed to carry out purposes consistent with those set forth in section 5401(a) of title 5, United States Code [section 5401(a) of Title 5].

"(c) Nothing in this section shall be construed to allow the aggregate amount payable to a member of the Senior Cryptologic Executive Service under this section during any fiscal year to exceed the annual rate payable for positions at level I of the Executive Schedule in effect at the end of such year.

"Sec. 13. (a) The Director of the National Security Agency may make grants to private individuals and institutions for the conduct of cryptologic research. An application for a grant under this section may not be approved unless the Di-

rector determines that the award of the grant would be clearly consistent with the national security.

"(b) The grant program established by subsection (a) shall be conducted in accordance with the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.) [section 501 et seq. of Title 41, Public Contracts] to the extent that such Act is consistent with and in accordance with section 6 of this Act.

"(c) The authority of the Director to make grants under this section is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

"Sec. 14. Funds appropriated to an entity of the Federal Government other than an element of the Department of Defense that have been specifically appropriated for the purchase of cryptologic equipment, materials, or services with respect to which the National Security Agency has been designated as the central source of procurement for the Government shall remain available for a period of three fiscal years.

"Sec. 15. (a) No person may, except with the written permission of the Director of the National Security Agency, knowingly use the words 'National Security Agency', the initials 'NSA', the seal of the National Security Agency, or any colorable imitation of such words, initials, or seal in connection with any merchandise, impersonation, solicitation, or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the National Security Agency.

"(b) Whenever it appears to the Attorney General that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice. Such court shall proceed as soon as practicable to the hearing and determination of such action and may, at any time before final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.

"Sec. 16. (a) The purpose of this section is to establish an undergraduate training program, which may lead to the baccalaureate degree, to facilitate the recruitment of individuals, particularly minority high school students, with a demonstrated capability to develop skills critical to the mission of the National Security Agency, including mathematics, computer science, engineering, and foreign languages.

"(b) The Secretary of Defense is authorized, in his discretion, to assign civilian employees of the National Security Agency as students at accredited professional, technical, and other institutions of higher learning for training at the undergraduate level in skills critical to effective performance of the mission of the Agency.

"(c) The National Security Agency may pay, directly or by reimbursement to employers, expenses incident to assignments under subsection (b), in any fiscal year only to the extent that appropriated funds are available for such purpose.

1958, 23 F.R. 6971; Ex.Ord.
1959, 24 F.R. 7519, formerly
under this section, which pro-

United States 29 et seq.
War and National Emergencies

§ 403. Central Intelligence

(a) **Establishment; Director.** There is established Agency with a Director with a Deputy Director powers of, the Director Deputy Director shall consent of the Senate, whether in an active or *Provided, however,* The Deputy Director be occupied services, whether in an

(b) **Commissioned officer**
commissioned status:

(1) If a commissioner
Deputy Director, then—

(A) in the performance of which he or she may be subject to no other (military or otherwise) other than the civilian in no way connected with the Navy, the Department of the Navy, the Department of Defense, or any component thereof;

(B) he shall not perform any functions (other than those authorized to be exercised, as Director, of the Federal Bureau of Investigation, or any component thereof, the Navy, or the Department of Defense, or any division thereof, or any of the foregoing)

(2) Except as provide office of Director, or services, and his accept status, office, rank, or emolument, perquisite, such status, office, rank serving in the office of not lower than that in the military pay and a personal money allowance of service for which the available to defray the be paid by the Central at a rate equal to the position exceeds the an

(3) The rank or grade which such commissioner, or Deputy Director, receives otherwise than as a member.

WAR POWERS
REPORTING REQ.
50 USC 1543

INTNL

NATIONAL
EMERGENCIES
ACT

WAR AND NATIONAL DEFENSE

50 § 403

1958, 23 F.R. 6971; Ex.Ord. No. 10838, Sept. 17, 1959, 24 F.R. 7519, formerly set out as a note under this section, which provided for the Opera-

tions Coordinating Board, was revoked by Ex. Ord. No. 10920, Feb. 20, 1961, 26 F.R. 1463.

Library References

United States 29 et seq.

C.J.S. United States §§ 24, 62.

War and National Emergency 40.

C.J.S. War and National Defense § 48.

§ 403. Central Intelligence Agency

(a) Establishment; Director and Deputy Director; appointment

There is established under the National Security Council a Central Intelligence Agency with a Director of Central Intelligence who shall be the head thereof, and with a Deputy Director of Central Intelligence who shall act for, and exercise the powers of, the Director during his absence or disability. The Director and the Deputy Director shall be appointed by the President, by and with the advice and consent of the Senate, from among the commissioned officers of the armed services, whether in an active or retired status, or from among individuals in civilian life: *Provided, however,* That at no time shall the two positions of the Director and Deputy Director be occupied simultaneously by commissioned officers of the armed services, whether in an active or retired status.

(b) Commissioned officer as Director or Deputy Director; powers and limitations, effect on commissioned status

(1) If a commissioned officer of the armed services is appointed as Director, or Deputy Director, then—

(A) in the performance of his duties as Director, or Deputy Director, he shall be subject to no supervision, control, restriction, or prohibition (military or otherwise) other than would be operative with respect to him if he were a civilian in no way connected with the Department of the Army, the Department of the Navy, the Department of the Air Force, or the armed services or any component thereof; and

(B) he shall not possess or exercise any supervision, control, powers, or functions (other than such as he possesses, or is authorized or directed to exercise, as Director, or Deputy Director) with respect to the armed services or any component thereof, the Department of the Army, the Department of the Navy, or the Department of the Air Force, or any branch, bureau, unit, or division thereof, or with respect to any of the personnel (military or civilian) of any of the foregoing.

(2) Except as provided in paragraph (1) of this subsection, the appointment to the office of Director, or Deputy Director, of a commissioned officer of the armed services, and his acceptance of and service in such office, shall in no way affect any status, office, rank, or grade he may occupy or hold in the armed services, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. Any such commissioned officer shall, while serving in the office of Director, or Deputy Director, continue to hold rank and grade not lower than that in which serving at the time of his appointment and to receive the military pay and allowances (active or retired, as the case may be, including personal money allowance) payable to a commissioned officer of his grade and length of service for which the appropriate department shall be reimbursed from any funds available to defray the expenses of the Central Intelligence Agency. He also shall be paid by the Central Intelligence Agency from such funds an annual compensation at a rate equal to the amount by which the compensation established for such position exceeds the amount of his annual military pay and allowances.

(3) The rank or grade of any such commissioned officer shall, during the period in which such commissioned officer occupies the office of Director of Central Intelligence, or Deputy Director of Central Intelligence, be in addition to the numbers and percentages otherwise authorized and appropriated for the armed service of which he is a member.

[See main volume for text of (c) to (f)]

(As amended Apr. 4, 1953, c. 16, 67 Stat. 20.)

fungicide, and Roden-
at the end thereof a
thorized to be appro-
for the period begin-
, 1984, such sums as
00."

Public Law 98-202
98th Congress

An Act

To amend the Arms Control and Disarmament Act in order to extend the authorization for appropriations.

Dec. 2, 1983
[H.R. 2906]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 49(a) of the Arms Control and Disarmament Act (22 U.S.C. 2589(a)) is amended to read as follows:

"SEC. 49. (a) To carry out the purposes of this Act, there are authorized to be appropriated—

"(1) for the fiscal year 1984, \$20,888,000;

"(2) for the fiscal year 1985, \$21,932,000; and

"(3) such additional amounts as may be necessary, for each such fiscal year, for increases in salary, pay, retirement, other employee benefits authorized by law, and other nondiscretionary costs, and to offset adverse fluctuations in foreign currency exchange rates.

Of the sums authorized to be appropriated for the fiscal years 1984 and 1985, not less than \$200,000 shall be available in each such fiscal year only for the program for visiting scholars in the field of arms control and disarmament established under section 28 of this Act. Amounts appropriated under this subsection are authorized to remain available until expended."

Infra.

SEC. 2. Section 22 of the Arms Control and Disarmament Act (22 U.S.C. 2562) is amended by striking out "He" in the third sentence and inserting in lieu thereof the following: "The Director shall attend all meetings of the National Security Council involving weapons procurement, arms sales, consideration of the defense budget, and all arms control and disarmament matters. The Director".

SEC. 3. Title II of the Arms Control and Disarmament Act (22 U.S.C. 2561 et seq.) is amended by adding at the end thereof the following new section:

"PROGRAM FOR VISITING SCHOLARS

"SEC. 28. A program for visiting scholars in the field of arms control and disarmament shall be established by the Director in order to obtain the services of scholars from the faculties of recognized institutions of higher learning. The purpose of the program will be to give specialists in the physical sciences and other disciplines relevant to the Agency's activities an opportunity for active participation in the arms control and disarmament activities of the Agency and to gain for the Agency the perspective and expertise such persons can offer. Each fellow in the program shall be appointed for a term of one year, except that such term may be extended for a 1-year period. Fellows shall be chosen by a board consisting of the Director, who shall be the chairperson, and all former Directors of the Agency."

22 USC 2568.

Arms Control
and Disarma-
ment Act,
amendment.
Appropriations
authorization.

SEC. 4. The Arms Control and Disarmament Act is amended by adding at the end thereof the following new section:

"SPECIALISTS FLUENT IN RUSSIAN LANGUAGE

22 USC 2591.

"SEC. 51. The Director is authorized to create up to eight additional permanent personnel positions at both junior and more senior levels for specialists in Soviet foreign and military policies, arms control, or strategic affairs, who also demonstrate fluency in the Russian language."

REPORT TO CONGRESS ON SOVIET COMPLIANCE WITH ARMS CONTROL AGREEMENTS

Transmittal to Congress.

SEC. 5. The President shall prepare and transmit to the Congress a report on the record of the compliance or noncompliance of the Soviet Union with existing arms control agreements to which the Soviet Union is a party.

SPECIAL REPRESENTATIVES FOR ARMS CONTROL AND DISARMAMENT NEGOTIATIONS

SEC. 6. (a) Section 27 of the Arms Control and Disarmament Act (22 U.S.C. 2567) is amended by striking out "a Special Representative" and inserting in lieu thereof "two Special Representatives".

(b) Section 5315 of title 5, United States Code, is amended—

(1) by striking out

"Special Representative for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency."; and

(2) by adding at the end thereof the following:

"Special Representatives for Arms Control and Disarmament Negotiations, United States Arms Control and Disarmament Agency (2)."

Approved December 2, 1983.

LEGISLATIVE HISTORY—H.R. 2906 (S. 608):

HOUSE REPORTS: No. 98-180 (Comm. on Foreign Affairs) and No. 98-564 (Comm. of Conference).

SENATE REPORT No. 98-144 accompanying S. 608 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 129 (1983):

May 23, considered and passed House.

Nov. 10, considered and passed Senate, amended, in lieu of S. 608.

Nov. 17, House agreed to conference report.

Nov. 18, Senate agreed to conference report.

NATIONAL SECURITY COUNCIL**Executive Office of the President**

AUTHORITY: 50 U.S.C. 402(a)
Reorganization Plan No. 3 of 1953
Reorganization Plan No. 6 of 1953, Sec. 2
Reorganization Plan No. 7 of 1953, Sec. 2(a)
Reorganization Plan No. 1 of 1958
Executive Order 11905, February 18, 1976

METHOD: Ex officio and nominated to the Senate

MEMBERS: The President
The Vice President
The Secretary of State
The Secretary of Defense
~~The Director of the Office of Emergency Planning~~

AND

. . . when appointed by the President by and with the advice and consent of the Senate, the Secretaries and Under Secretaries of other executive departments and of the military departments.

CHAIRMAN: The President of the United States shall preside over meetings of the Council; Provided, That in his absence he may designate a member of the Council to preside in his place.

TERM: The members requiring Senate confirmation serve at the pleasure of the President.

SALARY: Apparently serve without additional compensation.

THE WHITE HOUSE

WASHINGTON

Phil:

This has cleared all offices except Counsel. Counsel has no legal objection to it, but they do oppose the draft Order on policy grounds -- unnecessary expense from the production of the seals, new stationery, etc.

Within the EXOP, some agencies (OA, USTR) do have seals; others do not.

You may want to talk with Andy Card about this to try to effect a resolution. If the decision is to send this to the President, then please return to me, and I'll type the appropriate cover note.

Thanks.

A handwritten signature in blue ink, appearing to be 'JS' with a flourish.



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

November 29, 1990

90 DEC 31 PM 2:54

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

FROM: Richard G. Darman *Richard G. Darman*

SUBJECT: Proposed Executive Order Entitled "Seals for the National Security Council and the Council of Economic Advisers"

SUMMARY: This memorandum forwards for your consideration a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish an official seal for the National Security Council and for the Council of Economic Advisers.

BACKGROUND: Under current practice, official seals are established in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers have requested that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

None of the affected agencies objects to the proposed Executive order.

RECOMMENDATION: I recommend that you sign the proposed Executive order.

Attachment



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

The President,

The White House.

My dear Mr. President:

I am herewith transmitting a proposed Executive Order creating seals for the National Security Council and the Council of Economic Advisers. This proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review of its form and legality.

The proposed Executive Order is approved with respect to its form and legality.

Respectfully,

A handwritten signature in cursive script, reading "J. Michael Luttig", is written over the typed name.

J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



U.S. Department of Justice

Office of Legal Counsel

Office of the
Assistant Attorney General

Washington, D.C. 20530

December 28, 1990

MEMORANDUM

Re: Proposed Executive Order Creating Seals for the National Security Council and the Council of Economic Advisers

The attached proposed Executive Order was prepared by the Office of Management and Budget, with the approval of the Director, and forwarded to this Department for review with respect to its form and legality.

The proposed Order will establish official seals for the National Security Council and the Council of Economic Advisers. Both proposed seals are modified designs of the seal for the Executive Office of the President ("EOP"). The National Security Council's seal adds the title "National Security Council" within the white border area of the EOP seal. The Council of Economic Adviser's seal adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

The proposed Order is approved with respect to its form and legality.


J. Michael Luttig
Assistant Attorney General
Office of Legal Counsel



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

November 29, 1990

Honorable Dick Thornburgh
United States Attorney General
Washington, D.C. 20530

Dear Mr. Attorney General:

Enclosed, in accordance with the provisions of Executive Order No. 11030, is a proposed Executive order that was prepared by this office at the request of the National Security Council and the Council of Economic Advisers. The proposed order would establish official seals for the National Security Council and the Council of Economic Advisers.

Under current practice, official seals are established for offices in the Executive Office of the President ("EOP") by Executive order (Office of Management and Budget, Executive Order No. 11600, and Office of Administration, Executive Order No. 12112). The National Security Council and the Council of Economic Advisers request that seals be established for them.

Executive Order No. 3524 requires, in part, that matters relating to the design of insignia for Executive agencies must be submitted to the Commission of Fine Arts for advice as to the merits of such designs. The Commission of Fine Arts has approved the design of the seals for the National Security Council and the Council of Economic Advisers.

The proposed National Security Council seal is a modified design of the EOP seal. It simply adds the title "National Security Council" within the white border area of the EOP seal.

The proposed Council of Economic Advisers seal is also a modified design of the EOP seal. It adds the title "Council of Economic Advisers" within a curved gold scroll in the white border area of the EOP seal.

Your staff may direct any questions concerning this proposed Executive order to Mr. Mac Reed of this office (395-5600).

This proposed Executive order has the approval of the Director of the Office of Management and Budget.

Sincerely,

A handwritten signature in blue ink, reading "Robert G. Damus".

Robert G. Damus
Acting General Counsel

Enclosures

EXECUTIVE ORDER

- - - - -

SEALS FOR THE NATIONAL SECURITY COUNCIL
AND THE COUNCIL OF ECONOMIC ADVISERS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. There is established for the National Security Council in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above the inscription "NATIONAL SECURITY COUNCIL," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 2. There is established for the Council of Economic Advisers in the Executive Office of the President an official seal described as follows:

On a blue disc, the Arms of the United States proper above a curved gold scroll inscribed "COUNCIL OF ECONOMIC ADVISERS," in black raised letters, all within a white border edged gold and inscribed "EXECUTIVE OFFICE OF THE PRESIDENT OF THE UNITED STATES," in blue raised letters. Dark blue suggested by the Seal of the President denotes the direct organizational link with the Presidential Office.

Sec. 3. The seals for the National Security Council and the Council of Economic Advisers shall be of the designs that are attached hereto and made a part of this order.

THE WHITE HOUSE,



