

Presidential Documents

Title 3—

Executive Order 12884 of December 1, 1993

The President

Delegation of Functions Under the Freedom Support Act and Related Provisions of the Foreign Operations, Export Financing and Related Programs Appropriations Act

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the FREEDOM Support Act (Public Law 102–511) (the “Act”), the Foreign Assistance Act of 1961, as amended (the “Foreign Assistance Act”), the Foreign Operations, Export Financing and Related Programs Appropriations Act, 1993 (Public Law 102–391), and section 301 of title 3, United States Code, it is hereby ordered as follows:

Section 1. Secretary of State. (a) There are delegated to the Secretary of State the functions conferred upon the President by:

- (1) section 907 of the Act;
- (2) paragraphs (1), (2), and (3) of section 498A(b) of the Foreign Assistance Act;
- (3) paragraph (1) of section 498A(C) of the Foreign Assistance Act and the requirement to make reports under that section regarding determinations under that paragraph; and
- (4) section 599B of Public Law 102–391.

(b) The Secretary of State may at any time exercise any function delegated to the Coordinator under this order or otherwise assigned to the Coordinator.

Sec. 2. Coordinator. There are delegated to the Coordinator designated in accordance with section 102 of the Act the functions conferred upon the President by:

- (a) section 104 of the Act, and the Coordinator is authorized to assign responsibility for particular aspects of the reports described in that section to the heads of appropriate agencies;
- (b) section 301 of the Act, insofar as it relates to determinations and directives;
- (c) section 498A(a), section 498B(c), and section 498B(g) of the Foreign Assistance Act; and
- (d) paragraph (2) of section 498A(c) of the Foreign Assistance Act and the requirement to make reports under that section regarding determinations under that paragraph.

Sec. 3. International Development Cooperation Agency. There are delegated to the United States International Development Cooperation Agency the functions conferred upon the President by:

- (a) sections 301(a) and 307 of the Act, except insofar as provided otherwise in section 2(b) of this order;
- (b) section 498 and section 498C(b)(2) of the Foreign Assistance Act;
- (c) paragraph (3) of section 498A(c) of the Foreign Assistance Act and the requirement to make reports under that section regarding determinations under that paragraph;
- (d) subsection (d) under the heading “Assistance for the New Independent States of the Former Soviet Union” contained in Title II of Public Law 102–391; and

(e) section 592 of Public Law 102-391, except to the extent otherwise provided in section 5(b) of this order.

Sec. 4. Secretary of Agriculture. There are delegated to the Secretary of Agriculture the functions conferred upon the President by section 807(d) of the Act.

Sec. 5. Other Agencies. The functions conferred upon the President by:

(a) sections 498B(h) and 498B(i) of the Foreign Assistance Act are delegated to the head of the agency that is responsible for administering the particular program or activity with respect to which the authority is to be exercised; and

(b) the third proviso in section 592 of Public Law 102-391 are delegated to the head of each agency that is responsible for administering relevant programs or activities.

Sec. 6. General. (a) the functions described in sections 3, 4, and 5 of this order shall be exercised subject to the authority of the Coordinator under section 102(a) of the Act or otherwise.

(b) As used in this order, the word "function" includes any duty, obligations, power, authority, responsibility, right, privilege, discretion, or activity.

(c) Functions delegated under this order shall be construed as excluded from the functions delegated under section 1-102(a) of Executive Order No. 12163, as amended.

(d) Any officer to whom functions are delegated or otherwise assigned under this order may, to the extent consistent with law, redelegate such functions and authorize their successive redelegation.



THE WHITE HOUSE,
December 1, 1993.