

Mr. Reid

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The President

EXECUTIVE ORDER 9809

PROVIDING FOR THE DISPOSITION OF CERTAIN WAR AGENCIES

By virtue of the authority vested in me by the Constitution and statutes, including Title I of the First War Powers Act, 1941, Title III of the Second War Powers Act, 1942, section 201 (b) of the Emergency Price Control Act of 1942, as amended, and section 2 of the Stabilization Act of 1942, and as President of the United States, it is hereby ordered, for the purpose of further effectuating the transition from war to peace and in the interest of the internal management of the Government, as follows:

1. Except as otherwise provided in this order, the following agencies and their functions are consolidated to form one agency in the Office for Emergency Management of the Executive Office of the President, which shall be known as the Office of Temporary Controls, namely: the Office of War Mobilization and Reconversion, the Office of Economic Stabilization, the Office of Price Administration, and the Civilian Production Administration. Consistent with applicable law, the Office of Temporary Controls shall be organized and its functions shall be administered in such manner as the head thereof may deem desirable.

2. There shall be at the head of the Office of Temporary Controls a Temporary Controls Administrator, hereafter referred to as the Administrator, who shall be appointed by the President and who shall receive a salary at the rate of \$12,000 per annum unless the Congress shall otherwise provide. Except as otherwise provided in this order, the functions of the Director of War Mobilization and Reconversion, the Economic Stabilization Director, the Price Administrator, and the Civilian Production Administrator, including such functions of the President as are now administered by the said officers, are vested in the Administrator. The functions hereby vested in the Administrator shall be deemed to include the authority to maintain in his own name civil proceedings relating to matters heretofore under the jurisdiction of the Price Administrator (including any such proceedings now pending).

3. (a) The advisory board provided for in section 102 of the War Mobilization

and Reconversion Act of 1944 and its functions, which shall remain vested in such board, are transferred to the Office of Temporary Controls.

(b) The Economic Stabilization Board (transferred to the Office of War Mobilization and Reconversion by Executive Order No. 9762 of July 25, 1946) and its functions are terminated.

4. The functions of the Director of War Mobilization and Reconversion under subsections (c) (1), (c) (2), (c) (3), and (c) (4) of section 101 of the War Mobilization and Reconversion Act of 1944 are transferred to the President.

5. The functions of the Director of War Mobilization and Reconversion under the provisions of Executive Order No. 9568 of June 8, 1945 and of Executive Order No. 9604 of August 25, 1945 (with respect to the declassification, release, and publication of certain technical, scientific, and industrial information which has been classified as secret, confidential, or restricted), are transferred to the Secretary of Commerce.

6. The functions of the Director of War Mobilization and Reconversion under the provisions of Executive Order No. 9791 of October 17, 1946 (with respect to the study of scientific research and development activities), are transferred to the Executive Office of the President and shall be administered therein as the President may determine.

7. The functions of the Media Programming Division and the Motion Picture Division of the Office of War Mobilization and Reconversion, and the functions which were transferred from the Bureau of Special Services of the Office of War Information to the Bureau of the Budget by the provisions of paragraph 1 (b) of Executive Order No. 9608 of August 31, 1945, are transferred to the Office of Government Reports, which is re-established as an agency in the Executive Office of the President on the same basis and with the same functions as obtained immediately prior to the promulgation of Executive Order No. 9182 of June 13, 1942. The functions of the Director of War Mobilization and Reconversion with respect to the functions of the said Divisions and the functions of the Director of the Bureau of the Budget with respect to the said functions of the Bureau of the Budget are transferred to the Director of the Office of Government Reports.

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8. There are transferred to the Department of the Treasury (a) the functions of the Office of Contract Settlement, (b) the Appeal Board established under section 13 (d) of the Contract Settlement Act of 1944, (c) the Contract Settlement Advisory Board created by section 5 of the said Act, and (d) the functions of such boards, which shall remain vested therein, respectively. The functions of the Director of Contract Settlement, and the functions of the Director of War Mobilization and Reconversion under section 101 (b) of the War Mobilization and Reconversion Act of 1944 with respect to the Office of Contract Settlement, are transferred to the Secretary of the Treasury.

9. The functions of the Financial Reporting Division of the Office of Price Administration, together with the functions of the Price Administrator with respect thereto, are transferred to the Federal Trade Commission.

10. (a) The National Wage Stabilization Board is terminated.

(b) The functions heretofore vested in the National Wage Stabilization Board pursuant to the provisions of section 5 (a) of the Stabilization Act of 1942, as amended, are transferred to the Department of the Treasury.

(c) The functions under section 5 of the War Labor Disputes Act now vested in the National Wage Stabilization Board shall be administered by a special board or boards to be constituted as may be necessary by the Secretary of Labor from among the members of a panel to be appointed by the President for that purpose.

(d) The tripartite Steel Commission (created by the National War Labor Board on March 30, 1945) shall continue to carry out its functions within the Department of Labor until such date as the Secretary of Labor may fix for its termination.

(e) All other functions of the National Wage Stabilization Board are transferred to the Secretary of Labor.

11. The authority, records, property, and personnel which relate primarily to the functions redistributed by this order are transferred to the respective agencies in which functions are vested pursuant to the provisions of this order and the funds which relate primarily to such functions are transferred or otherwise made available to such respective agencies: *Provided*, That the Director of the Bureau of the Budget may in any case limit the records, property, personnel, and funds to be so transferred or made available to so much thereof as he deems to be required for the administration of the transferred functions. Such further measures and dispositions as may be determined by the Director of the Bureau of the Budget to be necessary to effectuate the purposes and provisions of this paragraph shall be carried out in such manner as the Director of the Bureau of the Budget may direct and by such agencies as he may designate. All personnel transferred under the provisions of this order which the transferee agencies shall respectively find to be in excess of the personnel necessary for the administration of the functions transferred to such agencies by this order shall, if not retransferred under existing law to other positions in the Government, be separated from the service.

12. All prior Executive orders or parts thereof in conflict with this order are amended accordingly. All other prior orders, regulations, rulings, directives, and other actions relating to any function or agency transferred by this order or issued by any such agency shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

13. The provisions of this order shall become effective immediately except that the provisions of paragraph 10 hereof, and those of paragraph 11 to the extent that they relate to the functions referred to in paragraph 10, shall become effective on February 24, 1947.

HARRY S. TRUMAN

THE WHITE HOUSE,
December 12, 1946.

[F. R. Doc. 46-21602; Filed, Dec. 12, 1946;
11:38 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 60—ORGANIZATION AND OFFICIAL RECORDS OF THE COMMISSION

CHIEF LAW OFFICER

Section 60.5 *Chief Law Officer* is amended to read as follows:

§ 60.5 *Chief Law Officer*. The Chief Law Officer advises the Commission, the Executive Director and Chief Examiner and division chiefs on legal questions pertinent to Commission policies and operations. He is responsible for drafting or reviewing drafts of legislation, Executive orders and regulations. He adjudicates appeals of veteran preference eligibles that are filed under the Veterans' Preference Act of 1944. He is responsible for the enforcement of the statutes and civil service rules relating to political activity of Federal and State employees. With respect to State employees he authorizes and is responsible for the investigation of complaints, the filing of charges, where the report of investigation so warrants, and the presentation of the Commission's side of the case before the hearing examiner when hearings are held. With respect to Federal employees he authorizes and is responsible for the investigation of complaints, the filing of proposed orders, where the report of investigation so warrants, and, in cases in which no hearing is held, recommending final decision to be made. (Pub. Law 404, 79th Cong.; 60 Stat. 237.)

[SEAL] UNITED STATES CIVIL SERVICE COMMISSION,
H. B. MITCHELL,
President.

[F. R. Doc. 46-21445; Filed, Dec. 12, 1946;
8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspection, Marketing Practices)

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (GRADING, CERTIFICATION AND STANDARDS)

UNITED STATES STANDARDS FOR FRESH FRUITS AND VEGETABLES AND OTHER PRODUCTS

Pursuant to the provisions of the Department of Agriculture Appropriation Act, 1947 (Pub. Law 422, 79th Cong., 2d Sess., approved June 22, 1946), the following United States Standards for Shallots (bunched) are hereby promulgated:

§ 51.390 *Shallots (bunched)*—(a) *Grades*—(1) U. S. No. 1 shall consist of shallots of similar varietal characteristics, which are fairly well formed, firm, young and tender, well trimmed, fairly clean, free from decay, and from dam-

age caused by seedstems, foreign material, disease, insects, mechanical or other means. The tops shall be fresh, of good green color, and free from damage caused by broken or bruised leaves.

(i) Unless otherwise specified, the overall length (roots excepted) of the shallots shall not exceed 22 inches and the shallots shall be not less than one-fourth of an inch or more than three-fourths of an inch in diameter.

(ii) Tolerance for defects. In order to allow for variations, other than size, incident to proper grading and handling, not more than a total of 10 percent, by count, of the shallots in any lot may fail to meet the requirements of this grade, but not more than 5 percent shall be allowed for defects causing serious damage, including not more than 2 percent for shallots affected by decay.

(iii) Tolerance for size. Not more than a total of 10 percent, by count, of the shallots in any lot may fail to meet the requirements as to the specified length, minimum diameter, or maximum diameter, but not more than 5 percent shall be allowed for any one of the requirements for size.

(2) U. S. No. 2 shall consist of shallots which are not badly misshapen, and which are fairly firm, fairly young and tender, fairly well trimmed, fairly clean, free from decay and from serious damage caused by seedstems, foreign material, disease, insects, mechanical or other means. The tops shall be fresh, of fairly good green color, and free from serious damage caused by broken or bruised leaves.

(i) Unless otherwise specified, the minimum size of the shallots shall be not less than one-fourth of an inch in diameter.

(ii) Tolerance for defects. In order to allow for variations, other than size, incident to proper grading and handling, not more than a total of 10 percent, by count, of the shallots in any lot may fail to meet the requirements of this grade, including not more than 2 percent for shallots affected by decay.

(iii) Tolerance for size. Not more than a total of 10 percent, by count, of the shallots in any lot may fail to meet the requirements of the specified minimum or maximum diameter, but not more than 5 percent shall be allowed for either of the requirements for size.

(iv) Unclassified shall consist of shallots which are not graded in conformity with either of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(b) *Size*. The following terms and definitions are provided for describing the diameters of any lot:

"Small" means less than $\frac{3}{8}$ inch.

"Medium" means $\frac{3}{8}$ to $\frac{1}{2}$ inch, inclusive.

"Large" means over $\frac{1}{2}$ inch.

(c) *Standard bunches*. (1) Bunches shall be fairly uniform in size and the shallots in the individual bunches shall also be of fairly uniform size. The weight of the bunches shall be not less than 4 pounds per dozen bunches. The weight of the bunched shallots shall be