

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES 1934

VOLUME 23

NUMBER 128

Washington, Tuesday, July 1, 1958

TITLE 3—THE PRESIDENT REORGANIZATION PLAN NO. 1 OF 1958

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 24, 1958, pursuant to the provisions of the Reorganization Act of 1949, approved June 20, 1949, as amended.¹

CIVILIAN MOBILIZATION

SECTION 1. Transfer of functions to the President. (a) There are hereby transferred to the President of the United States all functions vested by law (including reorganization plan) in the following: the Office of Defense Mobilization, the Director of the Office of Defense Mobilization, the Federal Civil Defense Administration, and the Federal Civil Defense Administrator.

(b) The President may from time to time delegate any of the functions transferred to him by subsection (a) of this section to any officer, agency, or employee of the executive branch of the Government, and may authorize such officer, agency, or employee to redelegate any of such functions delegated to him.

SEC. 2. Office of Defense and Civilian Mobilization. (a) Subject to the provisions of this reorganization plan, the Office of Defense Mobilization and the Federal Civil Defense Administration are hereby consolidated to form a new agency in the Executive Office of the President which shall be known as the Office of Defense and Civilian Mobilization, hereinafter referred to as the "Office".

(b) There shall be at the head of the Office a Director of the Office of Defense and Civilian Mobilization, who shall be appointed by the President by and with the advice and consent of the Senate and shall receive compensation at the rate now or hereafter prescribed by law for the heads of executive departments.

(c) There shall be in the Office a Deputy Director of the Office of Defense and Civilian Mobilization, who shall be appointed by the President by and with the

advice and consent of the Senate, shall receive compensation at the rate now or hereafter prescribed by law for the under secretaries referred to in section 104 of the Federal Executive Pay Act of 1956 (5 U. S. C. 2203), shall perform such functions as shall be delegated or assigned to him pursuant to the provisions of this reorganization plan, and shall act as Director during the absence or disability of the Director or in the event of a vacancy in the office of Director.

(d) There shall be in the Office three Assistant Directors of the Office of Defense and Civilian Mobilization, each of whom shall be appointed by the President by and with the advice and consent of the Senate, shall receive compensation at the rate now or hereafter prescribed by law for assistant secretaries of executive departments, and shall perform such functions as shall be delegated or assigned to him pursuant to the provisions of this reorganization plan.

(e) The Office and the Director thereof shall perform such functions as the President may from time to time delegate or assign thereto. The said Director may from time to time make such provisions as he shall deem appropriate authorizing the performance by any officer, or by any agency or employee, of the Office of any function delegated or assigned to the Office or to the Director.

Sec. 3. Regional directors. There are hereby established in the Office so many new positions, not in excess of ten existing at any one time, with the title "Regional Director", as the Director of the Office shall from time to time determine. Each Regional Director shall be appointed under the classified civil service, shall be the head of a regional office of the Office of Defense and Civilian Mobilization, shall perform such functions appropriate to such regional office as may be delegated or assigned to him pursuant to the provisions of this reorganization plan, and shall receive compensation which shall be fixed from time to time pursuant to the classification laws as now or hereafter amended except that the compensation may be fixed without regard to the numerical limitations on positions set forth in section 505 of the Classification Act of 1949, as amended (5 U. S. C. 1105).

(Continued on p. 4993)

CONTENTS

THE PRESIDENT

Reorganization Plan	Page
Civilian Mobilization	4991

EXECUTIVE AGENCIES

Agricultural Marketing Service	
Proposed rule making:	
Apples; U. S. standards	5013
Expenses and rates of assessment:	
Onions, certain designated counties in Idaho and Malheur County, Oreg.	5018
Potatoes, Irish, Washington	5017
Rules and regulations:	
Fruits and vegetables, processed, processed products thereof, and certain other processed food products; inspection and certification (2 documents)	4999
Inspection and certification of certain agricultural commodities and products thereof, regulations and standards for; schedule of fees and charges for certain services	5001
Naval stores, regulations and standards for; changes in fees for analysis, inspection and certification	5003
Potatoes, Irish, grown in Washington; limitation of shipments	5004
Agricultural Research Service	
Rules and regulations:	
Imports and exports; overtime, night and holiday inspection and quarantine activities at border, coastal and air ports (2 documents)	5004, 5005
Agriculture Department	
See Agricultural Marketing Service; Agricultural Research Service; Commodity Credit Corporation	
Alien Property Office	
Notices:	
Netherlands, State of, for benefit of Suzanne de Beer et al.	5027
Business Economics Office	
Notices:	
Survey of American business investments in foreign countries; instructions and regulations	5018

¹ Effective July 1, 1958, under the provisions of section 9 of the plan; published pursuant to section 11 of the act (63 Stat. 206; 5 U. S. C. 1332-9).



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the **CODE OF FEDERAL REGULATIONS**, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The **CODE OF FEDERAL REGULATIONS** is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the **FEDERAL REGISTER**, or the **CODE OF FEDERAL REGULATIONS**.

CFR SUPPLEMENTS

(As of January 1, 1958)

All Supplements and revised books have been issued and are now available except the following:

Titles 1-3

General Index

Order from Superintendent of Documents,
Government Printing Office, Washington
25, D. C.

CONTENTS—Continued

Civil Aeronautics Administration	Page
Rules and regulations:	
Standard instrument approach procedures; alterations	5008
Commerce Department	
See Business Economics Office; Civil Aeronautics Administration.	
Commodity Credit Corporation	
Rules and regulations:	
Feed Grain Export Program Payment in Kind (GR-368); terms and conditions	4998

CONTENTS—Continued

Defense Mobilization Office	Page
Notices:	
Chrysler Corp. et al.; Integration Committee on Medium and Heavy Gun Tanks and Allied Combat Vehicles	5024
Federal Power Commission	
Notices:	
Hearings, etc.:	
Atlantic Refining Co.	5021
Chapman, J. A., et al.	5023
Hunt Oil Co.	5022
Pacific Northwest Pipe Line Corp.	5023
Permian Basin Pipeline Co.	5023
Food and Drug Administration	
Proposed rule making:	
Maneb; tolerances for residues in or on raw agricultural commodities	5013
General Services Administration	
Notices:	
Secretary of Defense; delegation of authority to dispose of 0.538 acre of land at naval industrial reserve aircraft plant, Kansas City, Mo.	5024
Health, Education, and Welfare Department	
See Food and Drug Administration.	
Interior Department	
See also Land Management Bureau.	
Notices:	
Jicarilla Apache Reservation; ordinance relating to application of Federal Indian liquor laws	5018
Internal Revenue Service	
Rules and regulations:	
Monthly returns and payment of employment taxes and excise taxes, and procedure and administration relating to separate accounting for certain collected taxes	5006
Justice Department	
See Alien Property Office.	
Labor Department	
See Wage and Hour Division.	
Land Management Bureau	
Notices:	
California; small tract classification; amendment; correction	5018
Post Office Department	
Notices:	
Claims, settlement of; redelegation of authority	5021
Saint Lawrence Seaway Development Corporation	
Rules and regulations:	
Operating regulations	5011
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Barton Distilling Co.	5025
Fajardo Eastern Sugar Associates	5024
Trans Continental Industries, Inc.	5025

CONTENTS—Continued

Treasury Department	Page
See also Internal Revenue Service.	
Notices:	
Commandant, U. S. Coast Guard; delegation of functions	5021
Wage and Hour Division	
Notices:	
Learner employment certificates; issuance to various industries (2 documents)	5026
Rules and regulations:	
Puerto Rico industries, wage orders:	
Alcoholic beverage and industrial alcohol industry	4994
Banking, insurance, and finance	4994
Button, jewelry, and lapidary work	4993
Communications, utilities, and transportation	4995
Homeworkers in certain industries	4995
Wholesaling, warehousing, and other distribution industry	4996
Virgin Islands, homeworkers industries; miscellaneous amendments	4996

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3	Page
Chapter III (Presidential documents other than proclamations and Executive orders):	
Reorganization Plan 3, 1954 (see Reorganization Plan 1, 1958)	4991
Reorganization Plan 1, 1958	4991
Title 6	
Chapter IV:	
Part 484	4998
Title 7	
Chapter I:	
Part 51 (proposed)	5013
Part 52 (2 documents)	4999
Part 68	5001
Part 160	5003
Chapter III:	
Part 354	5004
Chapter IX:	
Part 992	5004
Proposed rules	5017
Part 1017 (proposed)	5018
Title 9	
Chapter I:	
Part 97	5005
Title 14	
Chapter II:	
Part 609	5008
Title 21	
Chapter I:	
Part 120 (proposed)	5013
Title 26 (1954)	
Chapter I:	
Part 39	5006
Part 149	5007
Part 301	5007

CODIFICATION GUIDE—Con.

Title 29	Page
Chapter V:	
Part 616	4993
Part 619	4994
Part 661	4994
Part 671	4995
Part 681	4995
Part 683	4996
Part 695	4996
Part 706	4994
Part 709	4993
Title 33	
Chapter IV:	
Part 401	5011

Sec. 4. Membership on National Security Council. The functions of the Director of the Office of Defense Mobilization with respect to being a member of the National Security Council are excluded from the scope of the provisions of section 1 (a) of this reorganization plan and are hereby transferred to the Director of the Office of Defense and Civilian Mobilization.

Sec. 5. Civil Defense Advisory Council. The Civil Defense Advisory Council, created by section 102 (a) of the Federal Civil Defense Act (50 U. S. C. App. 2272 (a)), together with its functions, is hereby transferred to the Office of Defense and Civilian Mobilization.

Sec. 6. Abolitions. The offices of Federal Civil Defense Administrator and Deputy Administrator provided for in section 101 of the Federal Civil Defense Act (50 U. S. C. App. 2271) and the offices of the Director of the Office of Defense Mobilization and Deputy Director of the Office of Defense Mobilization provided for in section 1 of Reorganization Plan No. 3 of 1953 (67 Stat. 634) are hereby abolished. The Director of the Office of Defense and Civilian Mobilization shall make such provisions as may be necessary in order to wind up any outstanding affairs of the offices abolished by this section which are not otherwise provided for in this reorganization plan.

Sec. 7. Records, property, personnel, and funds. (a) The records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of the Office of Defense Mobilization and of the Federal Civil Defense Administration shall, upon the taking effect of the provisions of this reorganization plan, become records, property, personnel, and unexpended balances of the Office of Defense and Civilian Mobilization.

(b) Records, property, personnel, and unexpended balances, available or to be made available, of appropriations, allocations, and other funds of any agency (including the Office of Defense and Civilian Mobilization), relating to functions vested in or delegated or assigned to the Office of Defense Mobilization or the Federal Civilian Defense Administration immediately prior to the taking effect of the provisions of this reorganization plan, may be transferred from time to time to any other agency of the Government by the Director of the Bureau of the Budget under authority of this

subsection for use, subject to the provisions of the Reorganization Act of 1949, as amended, in connection with any of the said functions authorized at time of transfer under this subsection to be performed by the transferee agency.

(c) Such further measures and dispositions as the Director of the Bureau of the Budget shall determine to be necessary in connection with the provisions of subsections (a) and (b) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

Sec. 8. Interim provisions. The President may authorize any person who immediately prior to the effective date of this reorganization plan holds an office abolished by section 6 hereof to hold any office established by section 2 of this reorganization plan until the latter office is filled pursuant to the said section 2 or by recess appointment, as the case may be, but in no event for any period extending more than 120 days after the said effective date.

Sec. 9. Effective date. The provisions of this reorganization plan shall take effect at the time determined under the provisions of section 6 (a) of the Reorganization Act of 1949, as amended, or on July 1, 1958, whichever is later.

[F. R. Doc. 58-5005; Filed, June 30, 1958; 8:53 a. m.]

RULES AND REGULATIONS

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 616—BUTTON, JEWELRY, AND LAPIDARY WORK INDUSTRY IN PUERTO RICO

PART 709—BUTTON, JEWELRY, AND LAPIDARY WORK INDUSTRY IN PUERTO RICO, MINIMUM WAGE ORDER

REVOCATION AND WAGE ORDER GIVING EFFECT TO RECOMMENDATIONS

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the Secretary of Labor by Administrative Order No. 505 (23 F. R. 2384) appointed, convened, and gave notice of the hearing of Industry Committee No. 39-A to recommend the minimum wage rate or rates to be paid under section 6 (c) of the act to employees in the button, jewelry, and lapidary work industry in Puerto Rico who are engaged in commerce or in the production of goods for commerce.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee filed with the Acting Administrator a report containing its findings and recommendations with respect to the matters referred to it. The committee revised the classifications in the industry and recommended increases in the minimum wage rates for certain of the classifications.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1064, as amended; 29 U. S. C. 208), Reorganization Plan No. 6 of 1950 (64 Stat. 1263; 3 CFR, 1950 Supp., p. 165), General Orders Nos. 45-A (15 F. R. 3290) and 85-A (22 F. R. 7614) of the Secretary of Labor, the recommendations of the committee are hereby published in this order amending Title 29, Code of Federal Regulations, effective July 16, 1958, as follows:

1. Part 709 is hereby revoked.

2. Part 616 is hereby added to read as follows:

Sec.
616.1 Definition of the industry.
616.2 Wage rates.
616.3 Notices.

AUTHORITY: §§ 616.1 to 616.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply sec. 5, 52 Stat. 1062, as amended; 29 U. S. C. 205.

§ 616.1 Definition of the industry. The button, jewelry, and lapidary work industry in Puerto Rico, to which this part shall apply, is defined as the manufacture from any material of buttons, buckles, jewelry (including rosaries), jewelry findings (including beads), and hair ornaments and accessories; and the processing of natural or synthetic stones for jewelry or industrial use.

§ 616.2 Wage rates. (a) Wages at a rate of not less than 43 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the rosary and native jewelry classification of that industry, which is defined as the assembling of rosaries and the manufacture of novelty jewelry from materials wholly or in major part of local origin such as seeds, shells, natural fibers, and similar materials.

(b) Wages at a rate of not less than 71 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the hair ornaments classification of that industry, which is defined as the manufacture of hair ornaments such as combs, clips, or barrettes decorated or ornamented with precious metals or with natural or imitation stones or pearls.

(c) Wages at a rate of not less than 61 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the hair accessories classification of that industry, which is defined as the manufacture from any material of bobby pins, hair clips, hair curlers, hair wavers, and other hair accessories and the manufacture of hair ornaments other than those decorated