

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3795

LAW AND ORDER IN THE STATE OF MICHIGAN

By the President of the United States of America

A Proclamation

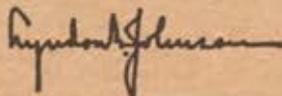
WHEREAS the Governor of the State of Michigan has informed me that conditions of domestic violence and disorder exist in the City of Detroit in that State, obstructing the execution and enforcement of the laws, and that the law enforcement resources available to the City and State, including the National Guard, have been unable to suppress such acts of violence and to restore law and order; and

WHEREAS the Governor has requested me to use such of the armed forces of the United States as may be necessary for those purposes; and

WHEREAS such domestic violence and disorder are also obstructing the execution of the laws of the United States, including the protection of federal property in the City of Detroit:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, do command all persons engaged in such acts of violence to cease and desist therefrom and to disperse and retire peaceably forthwith.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of July, in the year of our Lord nineteen hundred and sixty-seven, and the Independence of the United States of America the one hundred and ninety-second.



THE WHITE HOUSE,
July 24, 1967.

[F.R. Doc. 67-8747; Filed, July 25, 1967; 10:14 a.m.]

EXPERIMENTAL INVESTIGATION

OF THE

EFFECTS OF THE

Executive Order 11364**PROVIDING FOR THE RESTORATION OF LAW AND ORDER IN THE
STATE OF MICHIGAN**

WHEREAS on July 24, 1967, I issued Proclamation No. 3795,¹ pursuant in part to the provisions of Chapter 15 of Title 10 of the United States Code; and

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

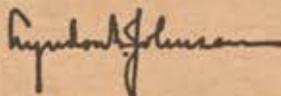
NOW, THEREFORE, by virtue of the authority vested in me as President of the United States and Commander in Chief of the Armed Forces by the Constitution and laws of the United States, including Chapter 15 of Title 10 of the United States Code, and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

SECTION 1. The Secretary of Defense is authorized and directed to take all appropriate steps to disperse all persons engaged in the acts of violence described in the proclamation and to restore law and order.

SEC. 2. In carrying out the provisions of Section 1, the Secretary of Defense is authorized to use such of the Armed Forces of the United States as he may deem necessary.

SEC. 3. The Secretary of Defense is hereby authorized and directed to call into the active military service of the United States, as he may deem appropriate to carry out the purposes of this order, any or all of the units of the Army National Guard and of the Air National Guard of the State of Michigan to serve in the active military service of the United States for an indefinite period and until relieved by appropriate orders. Units, or members thereof, may be relieved subject to recall at the discretion of the Secretary of Defense. In carrying out the provisions of Section 1, the Secretary of Defense is authorized to use units, and members thereof, called or recalled into the active military service of the United States pursuant to this section.

SEC. 4. The Secretary of Defense is authorized to delegate to the Secretary of the Army or the Secretary of the Air Force, or both, any of the authority conferred upon him by this order.



THE WHITE HOUSE,
July 24, 1967.

[F.R. Doc. 67-8748; Filed, July 25, 1967; 10:25 a.m.]

¹ F.R. Doc. 67-8747, *supra*.

THE HISTORY OF THE

ROYAL SOCIETY

OF LONDON

FROM THE YEAR 1660 TO 1700

BY JOHN VAUGHAN

ESQ.

OF THE SOCIETY

AND OF THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

VOLUME THE SECOND

LONDON

PRINTED BY A. MILLAR, IN ST. PAULS CHURCH-YARD

1757

BY AUTHORITY

AND BY APPOINTMENT

TO HIS MOST EXCELLENT MAJESTY

GEORGE III.

BY ROBERT DODD, PRINTER

TO HIS MOST EXCELLENT MAJESTY

GEORGE III.

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TO HIS MOST EXCELLENT MAJESTY

GEORGE III.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 752—ADVERSE ACTIONS BY AGENCIES

Miscellaneous Amendments

Part 752 is amended as follows: § 752.102 is expanded by the addition of a definition showing that an appeal to the agency is an appeal under Part 771 of Title 5; § 752.202(f) is shortened by the deletion of the redundant reference to Part 771 of Title 5, as set out below.

§ 752.102 Definitions.

In this part:

(a) Days means calendar days and not workdays.

(b) Appeal to the agency means an appeal under Part 771 of this chapter.

§ 752.202 Procedures.

(f) *Notice of adverse decision.* The employee is entitled to notice of the agency's decision at the earliest practicable date. The agency shall deliver the notice of decision to the employee at or before the time the action will be made effective. The notice shall be in writing, be dated, inform the employee of the reasons for the action, inform the employee of his right of appeal to the appropriate office of the Commission, and inform him of the time limit within which an appeal may be submitted as provided in § 752.203(b). The agency also shall inform the employee of any right of appeal to the agency.

(5 U.S.C. 1302, 3301, 3302, 7301, 7701, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218, E.O. 10988, 27 F.R. 551, 3 CFR 1959-63 Comp., p. 521)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-8637; Filed, July 25, 1967;
8:46 a.m.]

PART 771—EMPLOYEE GRIEVANCES AND ADMINISTRATIVE APPEALS

Witnesses and Arbitration Requirements

Part 771 is amended as follows: § 771.216 is expanded by the addition of a new provision that both parties to an appeal are entitled to produce witnesses; § 771.228 is expanded by the addition of

a new provision that both parties at a hearing conducted by an arbitrator are entitled to produce witnesses, and also by a new provision recognizing that some agencies hold the hearing before the original decision on adverse action is reached, as set out below.

§ 771.216 Witnesses.

(a) Both parties are entitled to produce witnesses.

(b) The agency shall make its employees available as witnesses before a hearing committee when (1) requested by the committee after consideration of a request by the employee or the agency and (2) it is administratively practicable to comply with the request of the committee. If the agency determines that it is not administratively practicable to comply with the request of the committee, it shall submit for inclusion in the employee appeal file its written reasons for the declination.

(c) Employees of the agency are in a duty status during the time they are made available as witnesses.

(d) The agency shall assure witnesses freedom from restraint, interference, coercion, discrimination, or reprisal in presenting their testimony.

§ 771.228 Arbitration requirements.

(a) An agency may provide for advisory arbitration in its appeals system only through a negotiated agreement between the agency and an employee organization to which exclusive recognition has been granted.

(b) An employee may use advisory arbitration only if:

(1) He is employed in a unit represented by an employee organization which has negotiated an agreement for advisory arbitration with the employing agency;

(2) He specifically requests it; and

(3) The employee organization concurs in the use of advisory arbitration and agrees to pay one-half the cost of arbitration.

(c) Advisory arbitration may not relate to the content of agency policy, but is restricted to the propriety of an adverse action in a particular case.

(d) When advisory arbitration is provided for in a one-level appeals system or in the first level of a two-level system, (1) advisory arbitration serves as an alternate to the agency hearing committees; (2) the employee cannot use both advisory arbitration and the agency hearing committee, but must choose one or the other; and (3) if the employee uses advisory arbitration, he is entitled to a hearing before the arbitrator.

(e) When advisory arbitration is provided for in the second level of a two-level appeals system, (1) the employee

is entitled to use both the agency hearing committee in the first level and advisory arbitration in the second level; and (2) the employee is not entitled to a hearing before the arbitrator as a matter of right, but the arbitrator may, in his discretion, hold a hearing of such scope as he considers necessary within the provisions of paragraph (f) of this section.

(f) When an arbitrator holds a hearing, he shall conduct and record it, and make a report of findings and recommendations, under the principles set forth in §§ 771.215, 771.217, and 771.218.

(g) Both parties at a hearing held by an arbitrator are entitled to produce witnesses.

(h) An agency shall make its employees available as witnesses at a hearing held in advisory arbitration under the principles set forth in § 771.216.

(i) An agency shall furnish copies of the hearing record and the arbitrator's report under the principles set forth in § 771.218.

(j) The award of an arbitrator is advisory only and may be either accepted or rejected by the agency official authorized to make the appellate decision, or the original decision when the hearing is held before the original decision is placed into effect.

(5 U.S.C. 1302, 3301, 3302, 7301, 7701, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-58 Comp., p. 218, E.O. 10988, 27 F.R. 551, 3 CFR 1959-63 Comp., p. 521)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-8638; Filed, July 25, 1967;
8:46 a.m.]

Title 7—AGRICULTURE

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 62]

PART 1062—MILK IN ST. LOUIS, MO., MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the St. Louis, Missouri, marketing area (7 CFR Part 1062), it is hereby found and determined that:

(a) The following provisions of the order do not tend to effectuate the de-