

presidential documents

Title 3—The President

Correction

EDITORIAL NOTE: This Executive order, published at 40 FR 30615, July 22, 1975, is being reprinted to correct a typographical error.

Executive Order 11871

July 18, 1975

Transferring the SCORE and ACE Programs From the ACTION Agency to the Small Business Administration

By virtue of the authority vested in me by Section 12 of the Small Business Act (72 Stat. 394, 15 U.S.C. 641), the Domestic Volunteer Service Act of 1973 (87 Stat. 394, 42 U.S.C. 4951 *et seq.*), Section 301 of Title 3 of the United States Code, and as President of the United States, it is hereby ordered as follows:

SECTION 1. All functions, powers, and duties vested in the ACTION Agency or its Director under Title III of the Domestic Volunteer Service Act of 1973 (87 Stat. 404, 42 U.S.C. 5031, *et seq.*), which relate to a Service Corps of Retired Executives ("SCORE") and an Active Corps of Executives ("ACE") are hereby transferred to the Small Business Administration.

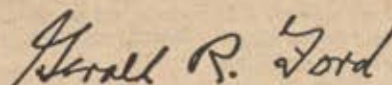
SEC. 2. All the functions, powers, and duties vested in the ACTION Agency or its Director under Title IV of the Domestic Volunteer Service Act of 1973 (87 Stat. 405, 42 U.S.C. 5041, *et seq.*), which are incidental to or necessary for the performance of the functions, powers, and duties transferred by Section 1 of this Order, are hereby transferred to the Small Business Administration.

SEC. 3. Nothing in this Order shall preclude the ACTION Agency or its Director from continuing, establishing, or conducting volunteer programs to carry out his other responsibilities as provided for in Title III or Title IV of the Domestic Volunteer Service Act of 1973.

SEC. 4. The authority of the President under Section 12 of the Small Business Act (15 U.S.C. 641) to provide for appropriate transfers of records, property, necessary personnel, and unexpended balances of appropriations and other funds in connection with the transfers provided by this Order is hereby delegated to the Director of the Office of Management and Budget, who shall take such action as he deems appropriate to enable the proper performance of the functions, powers, and duties transferred by this Order.

SEC. 5. The rights, privileges, and disabilities attaching to volunteers under Title III and Title IV of the Domestic Volunteer Service Act of 1973, and to Federal employees otherwise entitled to Civil Service protection and transferred hereunder, shall not be otherwise affected by this transfer.

SEC. 6. This Order shall be effective on the fifteenth day of July, 1975.



THE WHITE HOUSE,
July 18, 1975.

[FR Doc.75-19172 Filed 7-21-75;9:57 am]

Presidential Documents

THE 1960 ELECTION

On November 3, 1960, the President of the United States was elected for the first time by direct popular vote.

The election was held on a Tuesday, and the results were announced on Wednesday, November 8, 1960.

The President-elect, John F. Kennedy, was inaugurated on January 20, 1961, at the Lincoln Memorial in Washington, D.C.

His Vice President, Lyndon B. Johnson, was inaugurated on the same day at the same location.

The election was a close one, with Kennedy winning by a narrow margin of 118,000 votes.

The election was a landmark event in American history, as it was the first time that the President was elected by direct popular vote.

The election was also a landmark event in the history of the United States, as it was the first time that a President was elected by a woman.

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rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 29—TOBACCO INSPECTION

Allocation of Tobacco Inspection Service; Eligibility for Price Support

Notice is hereby given that the Department is further amending its regulations (published at 39 FR 17753, 39 FR 30475, 39 FR 32975, and 40 FR 24173) relating to tobacco inspection and price support services with regard to flue-cured tobacco by amending Subpart G—Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-Cured Tobacco on Designated Markets (7 CFR Part 29).

The aforesaid policy statement and regulations are statements of agency policy and rules and regulations issued pursuant to the authority of The Tobacco Inspection Act (49 Stat. 731, 7 U.S.C. 511, et seq.); the Agricultural Act of 1949, as amended (63 Stat. 1051, 7 U.S.C. 1421, et seq.); and the Commodity Credit Corporation Charter Act (62 Stat. 1070, as amended, 15 U.S.C. 714 et seq.).

STATEMENT OF CONSIDERATION

Sales opportunity for the sale of undesignated tobacco is distributed amongst all of the warehouses in a marketing area with each warehouse receiving a share of undesignated sales opportunity in the same proportion as the warehouse's share of designated sales opportunity in that marketing area. This pro-rata distribution, taking into consideration the very small amount of tobacco which has not been designated, results in little opportunity for the producer, who has chosen not to designate his tobacco allotment, to sell a reasonable proportion of his allotment during any given week at a specific warehouse.

Section 29.9404(a)(3) of the regulations (7 CFR 29.9404(a)(3)) presently provides that extra selling time for undesignated tobacco, as defined in that section, may be made available by the Secretary to a warehouse, but only during the close-out period in any marketing area. In order to provide the Secretary with the discretion to be able to accommodate producers who choose not to designate their tobacco, a change must be made in the provisions of the current regulations. Section 29.9404(a)(3) of the regulation is, therefore, amended by eliminating the phrase "during the close-out period in a marketing area."

Section 29.9404 is amended as follows:

§ 29.9404 Marketing area opening dates and marketing schedules.

(a) The Flue-Cured Tobacco Advisory Committee shall recommend, to the Secretary, marketing areas in the flue-cured tobacco production area and marketing area opening dates and selling schedules for both designated and undesignated tobacco for each marketing area and for the individual warehouses in each marketing area, which specify the length of time inspectors will be available to inspect designated tobacco and undesignated tobacco and/or the quantity of designated or undesignated tobacco to be marketed in each area and through each warehouse within such marketing area. In developing such opening date and selling schedules, the Committee shall take into account the following:

(3) With regard to undesignated tobacco, the Committee shall first determine, on the basis of all information available to it, the volume of undesignated tobacco in a geographical area, and then shall provide sales opportunity for each warehouse to sell an amount of the undesignated tobacco available for sale from that geographical area in proportion to the amount of tobacco designated to the warehouse in comparison to the total amount of tobacco designated in the marketing area in which the warehouse is located. Provided, however, that the Secretary may authorize additional undesignated sales opportunity if the warehouse provided proper proof that it does, in fact, have available for sale a volume of tobacco which has not previously been designated and which was eligible for designation to that warehouse had the producer chosen to designate and that such additional volume of tobacco warrants more sales opportunity than allowed by the schedule;

It is hereby found and determined that notice of proposed rulemaking, public procedure thereon, and 30-days' notice of the effective date hereof are impractical, unnecessary and contrary to the public interest in that this amendment is necessary to continue orderly marketing conditions in the flue-cured marketing area under the grower designation plan.

Therefore, good cause exists for making the amendments to the regulations effective July 24, 1975.

Signed at Washington, D.C., on July 18, 1975.

JOHN DAMGARD,
Deputy Assistant Secretary.

[FR Doc.75-19219 Filed 7-23-75;8:45 am]

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

[Amdt. 19]

PART 210—NATIONAL SCHOOL LUNCH PROGRAM

On January 22, 1975, there was published in the FEDERAL REGISTER (40 FR 3452) a proposed amendment to the regulations governing the National School Lunch Program. The main purpose of the proposed amendment was the implementation of Federal Management Circular 74-7 (FMC 74-7, 34 CFR Part 256, 39 FR 35787) which prescribes uniform administrative requirements for Federal grants-in-aid to State and local governments. State agencies affected by the proposed amendment advised the Department of Agriculture that the time allowed for public comment was insufficient for them to adequately assess the impact of the amendment on their operations. On March 5, 1975, a notice extending the period for public comments was published in the FEDERAL REGISTER (40 FR 10192).

The General Services Administration, which has overall responsibility for the implementation of FMC 74-7, has raised the threshold level for applicability of certain provisions of the procurement standards from \$2,500 to \$10,000. This amendment has been modified accordingly.

All of the public comments received have been carefully considered. The most substantive comments and recommendations, together with the resulting changes in the amendment or reasons for not accepting the suggestions, are set forth below.

Several respondents expressed general opposition to the proposed regulations because they feel that the existing child nutrition programs are not grant-type programs. In this regard, it should be noted that the proposed regulations do not alter the basic concepts of the child nutrition programs, nor do they change the basis on which they are funded or conducted.

A number of respondents expressed the view that the proposed effective date of July 1, 1975, is not practicable since most States have already established their budgets for fiscal year 1976, and the cost of compliance with the new audit requirement would impose a financial burden on State agencies. The provision requiring that State agencies and School Food Authorities be audited at least once every two years has been modified. State agencies will now have two years in which to develop a system for performing these audits. This system must be implemented by fiscal year 1978.