

CERTAIN FUNCTIONS OF THE PRESIDENT

No. 10288

Sept. 11, 1951, 16 F. R. 9187

FURTHER AMENDING EXECUTIVE ORDER NO. 10157 OF AUGUST 28, 1950, ENABLING CERTAIN EMPLOYEES OF THE FEDERAL GOVERNMENT TO ACQUIRE A COMPETITIVE STATUS

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 404)¹ and by section 1753 of the Revised Statutes of the United States,² Executive Order No. 10157 of August 28, 1950, entitled "Enabling Certain Employees of the Federal Government To Acquire a Competitive Status",³ as amended by Executive Order No. 10217 of February 26, 1951,⁴ is hereby further amended as follows:

1. Paragraph 1(a) is amended to read as follows:

"(a) The employee shall have served continuously in a full-time, active-duty status in the competitive service, without a break in service of more than sixty calendar days, during the two years immediately prior to the date of this order: *Provided*, that military service shall not be regarded as a break in service: *Provided further*, that substitute employees in the postal service who were appointed on or before August 28, 1948, and who performed service during the required two-year period in positions within the authorized quota of substitutes at the post office concerned shall be considered as having served continuously in a full-time, active-duty status for purposes of this order."

2. Paragraph 1(c) is amended to read as follows:

"(c) The acquisition of competitive status by the employee must be recommended to the Civil Service Commission by the head of the agency in which he is employed within six months of the date of this order: *Provided*, that in the case of an employee who has left, or before the expiration of such six-months' period leaves, his civilian position for the purpose of entering the armed forces of the United States, such recommendation must be made within six months of the date of honorable termination of the military service of the employee: *Provided further*, that in the cases of the substitute employees in the postal service specified in the last proviso of paragraph 1(a), above, and in cases where, due to an inadvertence on the part of an agency, recommendation was not submitted to the Civil Service Commission within the prescribed six-months' period, such recommendation may be accepted if received by the Commission not later than March 1, 1952."

THE WHITE HOUSE,
September 7, 1951.

HARRY S. TRUMAN

No. 10289

Sept. 19, 1951, 16 F. R. 9499

PROVIDING FOR THE PERFORMANCE OF CERTAIN FUNCTIONS OF THE PRESIDENT BY THE SECRETARY OF THE TREASURY

By virtue of the authority vested in me by section 1 of the act of August 8, 1950, 64 Stat. 419 (Public Law 673, 81st Congress),⁵ and as President of the United States, it is ordered as follows:

1. The Secretary of the Treasury is hereby designated and empowered to perform the following-described functions of the President without the approval, ratification, or other action of the President:

(a) The authority vested in the President by section 1 of the act of August 1, 1914, c. 223, 38 Stat. 609, 623, as amended (19 U. S. C. 2),⁶

1. 5 U.S.C.A. § 633.

2. 5 U.S.C.A. § 631.

3. U.S.Code Cong.Service 1950, p. 1635.

4. 1951 U.S.Code Cong. & Adm.Serv. p. 1003.

5. 3 U.S.C.A. § 301.

6. 19 U.S.C.A. § 2.

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(1) to rearrange, by consolidation or otherwise, the several customs-collection districts, (2) to discontinue ports of entry by abolishing the same and establishing others in their stead, and (3) to change from time to time the location of the headquarters in any customs-collection district as the needs of the service may require.

(b) The authority vested in the President by section 1 of the Anti-Smuggling Act of August 5, 1935, c. 438, 49 Stat. 517 (19 U. S. C. 1701),⁷

(1) to find and declare that at any place or within any area on the high seas adjacent to but outside customs waters any vessel or vessels hover or are being kept off the coast of the United States and that, by virtue of the presence of any such vessel or vessels at such place or within such area, the unlawful introduction or removal into or from the United States of any merchandise or person is being, or may be, occasioned, promoted, or threatened, (2) to find and declare that certain waters on the high seas are in such proximity to such vessel or vessels that such unlawful introduction or removal of merchandise or persons may be carried on by or to or from such vessel or vessels, and (3) to find and declare that, within any customs-enforcement area, the circumstances no longer exist which gave rise to the declaration of such area as a customs-enforcement area.

(c) The authority vested in the President by section 2 of the act of August 18, 1914, c. 256, 38 Stat. 699 (46 U. S. C. 82),⁸ to suspend the provisions of law requiring survey, inspection, and measurement of foreign-built vessels admitted to American registry.

(d) The authority vested in the President by section 5 of the act of May 28, 1908, c. 212, 35 Stat. 425, as amended (46 U. S. C. 104),⁹ to determine (as a prerequisite to the extension of reciprocal privileges by the Commissioner of Customs) that yachts used and employed exclusively as pleasure vessels and belonging to any resident of the United States are allowed to arrive at and depart from any foreign port and to cruise in the waters of such port without entering or clearing at the custom-house thereof and without the payment of any charges for entering or clearing, dues, duty per ton, tonnage taxes, or charges for cruising licenses.

(e) The authority vested in the President by section 2 of the act of March 24, 1908, c. 96, 35 Stat. 46 (46 U. S. C. 134),¹⁰ to name the hospital ships to which section 1 of the said act shall apply and to indicate the time when the exemptions thereby provided for shall begin and end.

(f) The authority vested in the President by section 4228 of the Revised Statutes, as amended (46 U. S. C. 141),¹¹ (1) to declare that—upon satisfactory proof being given by the government of any foreign nation that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country—the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country, and (2) to suspend in part the operation of section 4219 of the Revised Statutes, as amended (46 U. S. C. 121),¹² and section IV, J, subsection 1 of the act of October 3, 1913, c. 16, 38 Stat. 195, as amended (46 U. S. C. 146),¹³ so that foreign vessels from a country imposing partial discriminating tonnage duties upon American vessels, or partial discriminating import duties upon American merchandise, may enjoy in our ports the identical privileges which the same class of American vessels and merchandise may enjoy in such country: *Provided*, that the United States Tariff Commission shall obtain and furnish to the Secretary of the Treasury the proof required by the said

7. 19 U.S.C.A. § 1701.

8. 46 U.S.C.A. § 82.

9. 46 U.S.C.A. § 104.

10. 46 U.S.C.A. § 134.

11. 46 U.S.C.A. § 141.

12. 46 U.S.C.A. § 121.

13. 46 U.S.C.A. § 146.

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section 4228, as amended, as the basis for an order of the Secretary suspending and discontinuing (wholly or in part) discriminating tonnage duties, imposts, and import duties within the United States: *And provided further*, that the said authority shall be exercised in consultation with the Department of State.

(g) The authority vested in the President by section 3639 of the Revised Statutes, as amended (31 U. S. C. 521),¹⁴ to regulate and increase the sums for which bonds are, or may be, required by law, but only to the extent that such section affects collectors of customs, comptrollers of customs, and surveyors of customs (and the successors thereof under section 1 of the act of July 5, 1932, c. 430, 47 Stat. 580, 584 (19 U. S. C. 5a)).¹⁵

(h) The authority vested in the President by section 3650 of the Internal Revenue Code (26 U. S. C. 3650)¹⁶ to establish convenient collection districts (for the purpose of assessing, levying, and collecting the taxes provided by the internal revenue laws), and from time to time to alter such districts.

2. The Secretary of the Treasury is hereby designated and empowered to perform without the approval, ratification, or other action of the President the following functions which have heretofore, under the respective provisions of law cited, required the approval of the President in connection with their performance by the Secretary of the Treasury:

(a) The authority vested in the Secretary of the Treasury by section 6 of the act of July 8, 1937, c. 444, 50 Stat. 480 (5 U. S. C. 134e),¹⁷ to make rules and regulations necessary for the execution of the functions vested in the Secretary of the Treasury by the said act, as amended.

(b) The authority vested in the Secretary of the Treasury by section 9 of the act of June 19, 1934, c. 674, 48 Stat. 1181 (31 U. S. C. 448a),¹⁸ to issue rules and regulations necessary or proper to carry out the purposes of the said act or of any order issued thereunder.

(c) The authority vested in the Secretary of the Treasury by section 1805 of the Internal Revenue Code (26 U. S. C. 1805)¹⁹ to issue rules and regulations (with respect to silver bullion) necessary or proper to carry out the purposes of the said section.

(d) The authority vested in the Secretary of the Treasury by section 3 of the act of January 30, 1934, c. 6, 48 Stat. 340 (31 U. S. C. 442),²⁰ to issue regulations prescribing the conditions under which gold may be acquired and held, transported, melted or treated, imported, exported, or earmarked for certain purposes.

(e) The authority vested in the Secretary of the Treasury by section 1 of Title II of the act of June 15, 1917, c. 30, 40 Stat. 220 (50 U. S. C. 191),²¹ to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, exclusive of the territory and waters of the Canal Zone.

(f) The authority vested in the Secretary of the Treasury by section 6 of the act of June 19, 1934, c. 674, 48 Stat. 1178 (31 U. S. C. 316b),²² to investigate, regulate, or prohibit, by means of licenses or otherwise, the acquisition, importation, exportation, or transportation of silver and of contracts and other arrangements made with respect thereto, and to require the filing of reports in connection therewith.

3. The Secretary of the Treasury and the Postmaster General are hereby designated and empowered jointly to prescribe without the approval of the President regulations, under section 1 of the act of July 8, 1937, c. 444, 50 Stat. 479 (5 U. S. C. 134),²³ governing the shipment of valuables by the executive departments, independent establishments, agencies, wholly-owned corporations, officers, and employees of the United States.

14. 31 U.S.C.A. § 521.
15. 19 U.S.C.A. 5a.
16. 26 U.S.C.A. § 3650.
17. 5 U.S.C.A. § 134e.
18. 31 U.S.C.A. § 448a.

19. 26 U.S.C.A. § 1805.
20. 31 U.S.C.A. § 442.
21. 50 U.S.C.A. 191.
22. 31 U.S.C.A. § 316b.
23. 5 U.S.C.A. § 134.

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4. As used in this order, the term "functions" embraces duties, powers, responsibilities, authority, or discretion, and the term "perform" may be construed to mean "exercise".

5. All actions heretofore taken by the President in respect of the matters affected by this order and in force at the time of the issuance of this order, including regulations prescribed by the President in respect of such matters, shall, except as they may be inconsistent with the provisions of this order, remain in effect until amended, modified, or revoked pursuant to the authority conferred by this order.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 17, 1951.

No. 10290

Sept. 27, 1951, 16 F. R. 9795

PRESCRIBING REGULATIONS ESTABLISHING MINIMUM STANDARDS FOR THE CLASSIFICATION, TRANSMISSION, AND HANDLING, BY DEPARTMENTS AND AGENCIES OF THE EXECUTIVE BRANCH, OF OFFICIAL INFORMATION WHICH REQUIRES SAFEGUARDING IN THE INTEREST OF THE SECURITY OF THE UNITED STATES

WHEREAS it is necessary, in order to protect the national security of the United States, to establish a system for the safeguarding of official information the unauthorized disclosure of which would or could harm, tend to impair, or otherwise threaten the security of the nation; and

WHEREAS it is desirable and proper that minimum standards for procedures designed to protect the national security against such unauthorized disclosure be uniformly applicable to all departments and agencies of the Executive Branch of the Government and be known to and understood by those who deal with the Federal Government; and

WHEREAS the furnishing of information to the public about government activities will be facilitated by clear identification and marking of those matters the safeguarding of which is required in the interest of national security;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, the regulations attached hereto, entitled "Regulations Establishing Minimum Standards for the Classification, Transmission, and Handling, by Departments and Agencies of the Executive Branch, of Official Information Which Requires Safeguarding in the Interest of the Security of the United States," are hereby prescribed for application throughout the Executive Branch of the Government to the extent not inconsistent with law.

Such regulations shall take effect thirty days after their publication in the FEDERAL REGISTER.

All citizens of the United States who may have knowledge of or access to classified security information are requested to observe the standards established in such regulations with respect to such information and to join with the Federal Government in a concerted and continuing effort to prevent disclosure of such information to persons who are inimical to the interests of the United States.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 24, 1951.