

Executive Order 10902

PROVIDING FOR THE ISSUANCE OF EMERGENCY PREPAREDNESS ORDERS BY THE DIRECTOR OF THE OFFICE OF CIVIL AND DEFENSE MOBILIZATION

By virtue of the authority vested in me by the provisions of Reorganization Plan No. 1 of 1958 (72 Stat. 1799), the Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 *et seq.*), and 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. In connection with carrying out the functions delegated or otherwise assigned to him by the provisions of Executive Order No. 10773 of July 1, 1958, as amended by Executive Order No. 10782 of September 6, 1958, or by the provisions of other orders thereby amended, the Director of the Office of Civil and Defense Mobilization shall establish a series of civil-defense and defense-mobilization planning assignments which (1) shall be known as "Emergency Preparedness Orders," (2) shall, so far as practicable, be of uniform character, and (3) shall be designed to provide for the development of civil-defense and defense-mobilization plans and programs by the several departments and agencies of the executive branch of the Government to meet all conditions of national emergency, including attack upon the United States.

SEC. 2. The head of each department and agency assigned civil-defense and defense-mobilization functions by the Director of the Office of Civil and Defense Mobilization in consonance with the provisions of section 1 of this order shall develop the plans and programs there referred to under the policy direction and central program control of the Director of the Office of Civil and Defense Mobilization.

SEC. 3. Nothing in this order or in the National Plan for Civil Defense and Defense Mobilization shall be construed as conferring authority to put into effect any plan, procedure, policy, program, or other course of action prepared or de-

veloped pursuant to this order or the National Plan.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 9, 1961.

Executive Order 10903

DELEGATING AUTHORITY OF THE PRESIDENT WITH RESPECT TO REGULATIONS RELATING TO CERTAIN ALLOWANCES AND BENEFITS TO GOVERNMENT PERSONNEL ON OVERSEAS DUTY

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, section 303 of the Foreign Service Act of 1946 (22 U.S.C. 843), and various provisions of law cited in the body of this order, and as President of the United States, it is hereby ordered as follows:

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

(a) The authority vested in the President by section 111(3) of the Overseas Differentials and Allowances Act (74 Stat. 792) to prescribe regulations defining the term "employee".

(b) The authority vested in the President by Title II of the Overseas Differentials and Allowances Act to prescribe regulations, including the regulations referred to in sections 202, 203, and 221(4)(B) of that Act (governing, respectively, (1) certain waivers of recovery, (2) the payment of allowances and differentials authorized by Title II of the Act and certain other matters, and (3) travel expenses for dependents of certain employees).

(c) The authority vested in the President by section 22 of the Administrative Expenses Act of 1946 (added by section 311(a) of the Overseas Differentials and Allowances Act), (1) to prescribe regulations governing the allotment to posts in foreign countries, for the purpose stated in that section, of funds available to the departments for administrative expenses, and (2) to designate senior officials of this Government in foreign countries.

(d) The authority vested in the President by section 901 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1131), to prescribe regulations governing allowances in order to provide for the proper representation of the United States by officers or employees of the Foreign Service.

(e) The authority vested in the President by other provisions of law (including section 235(a)(2) of title 38 of the United States Code) to prescribe regulations governing representation allowances similar to those authorized by section 901 of the Foreign Service Act of 1946, as amended.

(f) The authority vested in the President by section 853 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1093), to establish from time to time a list of places which by reason of climatic or other extreme conditions are to be classed as unhealthful posts, and to cancel the designation of any place as unhealthful. Each place designated as unhealthful by the Secretary hereunder shall be so designated as of January 1, 1942, or as of a later date to be fixed by the Secretary.

SEC. 2. Executive Order No. 10530 of May 10, 1954, headed "Providing for the performance of certain functions vested in or subject to the approval of the President," as amended, is hereby further amended as follows:

(1) By adding at the end of section 1 the following new subsections (s), (t), and (u):

"(s) The authority vested in the President by section 1(e) of the Administrative Expenses Act of 1946 (added by section 301(c) of the Overseas Differentials and Allowances Act), and by section 301(d) of the Overseas Differentials and Allowances Act, to prescribe the regulations (relating to storage expenses and other matters) provided for in those sections.

"(t) The authority vested in the President by section 1(f) of the Administrative Expenses Act of 1946 (added by section 321 of the Overseas Differentials and Allowances Act) to prescribe regulations governing transportation of the privately owned motor vehicle of an employee assigned to a post of duty outside the continental United States on other than temporary duty orders.

"(u) That part of the functions vested in the President by section 7(a) of the Defense Department Overseas Teachers

Pay and Personnel Practices Act (73 Stat. 216; 5 U.S.C. 2355(a)) which consists of authority to prescribe regulations relating to storage (including packing, drayage, unpacking, and transportation to and from storage) of household effects and personal possessions."

(2) By adding at the end of section 2 the following new subsection (e):

"(e) The authority vested in the President by section 203(f) of the Annual and Sick Leave Act of 1951, as amended (65 Stat. 680; 74 Stat. 799-800; 5 U.S.C. 2062(f)), to prescribe regulations governing the granting of leave of absence as therein described."

SEC. 3. That portion of section 2 of Executive Order No. 10624 of July 28, 1955, which precedes the proviso thereof, is hereby amended to read as follows:

"SEC. 2. In addition to rules and regulations, pertaining to allowances and benefits, otherwise applicable to personnel assigned abroad under Title VI of the Act of August 28, 1954, there shall be applicable to the personnel rules and regulations prescribed by the Secretary of State in pursuance of (1) so much of the authority vested in the President by Title II of the Overseas Differentials and Allowances Act, or by any amendment thereof, as relates to quarters allowances or cost-of-living allowances, and (2) so much of the authority vested in the President and the Secretary of State by Title IX of the Foreign Service Act of 1946, or by any amendment thereof, as relates to allowances and benefits under the said Title IX:"

SEC. 4. (a) Section 2 of Executive Order No. 10853 of November 27, 1959, is hereby amended to read as follows:

"SEC. 2. The Secretary of State is hereby authorized and directed to exercise the following-described statutory powers of the President:

"(a) That part of the functions vested in the President by section 7(a) of the Defense Department Overseas Teachers Pay and Personnel Practices Act (73 Stat. 216; 5 U.S.C. 2355(a)) which consists of authority to prescribe regulations relating to quarters and quarters allowance.

"(b) The authority vested in the President by section 8(a)(1) of the Defense Department Overseas and Teachers Pay and Personnel Practices Act (73 Stat. 216; 5 U.S.C. 2356(a)(1)) to pre-

scribe regulations relating to cost-of-living allowances.

"(c) The authority vested in the President by section 235(a) of title 38 of the United States Code to prescribe rules and regulations with respect to allowances and benefits similar to those provided for in section 941 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1156)."

(b) The reference in section 1 of Executive Order No. 10853 of November 27, 1959, to the regulations contained in Executive Order No. 10000 of September 16, 1948, shall be deemed to include a reference to the corresponding regulations prescribed in pursuance of the provisions of this order.

SEC. 5. (a) The following-described Executive order and parts thereof are hereby revoked, subject to the provisions of section 5(b) of this order:

1. Parts I, III, IV, and V of Executive Order No. 10000 of September 16, 1948.
2. Executive Order No. 10011 of October 22, 1948.
3. Executive Order No. 10085 of October 28, 1949.
4. Executive Order No. 10100 of January 28, 1950.
5. Executive Order No. 10187 of December 4, 1950.
6. Executive Order No. 10261 of June 27, 1951.
7. Executive Order No. 10313 of December 14, 1951.
8. Executive Order No. 10391 of September 3, 1952.
9. Executive Order No. 10503 of December 1, 1953.
10. Executive Order No. 10623 of July 23, 1955.
11. Section 1 and, to the extent that it pertains to Executive Order No. 10000, section 3 of Executive Order No. 10636 of September 16, 1955.

(b) Existing rules and regulations prescribed in or pursuant to the Executive order provisions revoked by section 5(a) of this order, other existing rules and regulations pertaining to allowances, differentials, and other benefits corresponding to those authorized by the provisions of law referred to in this order, and actions heretofore taken in pursuance of any thereof, shall remain in effect until hereafter superseded in pursuance of the provisions of this order.

Sec. 6. This order, and such of the regulations prescribed by the Secretary

of State, the Director of the Bureau of the Budget, and the Civil Service Commission thereunder as the Secretary, Director, and Commission shall, respectively, determine, shall be published in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 9, 1961.

Executive Order 10904

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN CERTAIN CARRIERS REPRESENTED BY THE NEW YORK HARBOR CARRIERS' CONFERENCE COMMITTEE AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between certain carriers represented by the New York Harbor Carriers' Conference Committee, designated in the List of Carriers attached hereto and hereby made a part hereof, and certain of their employees represented by the Lighter Captains' Union, Local 996, I.L.A., a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by carriers represented by the New York Harbor Carriers' Conference