

agency as required by the Reorganization Act itself and have made this plan with the sole purpose of improving the service rendered by the Government to its citizens in accordance with the purposes set out in the act.

In view of the fact that it is now May 9, and that any reorganization plan must lie before the Congress for 60 calendar days, and because the reorganization of an intradepartmental character requires a great deal of research and careful painstaking detailed work, I do not propose to send any further general reorganization plans to the Congress at this session.

However, there are certain transfers, abolitions, and consolidations of committees, commissions, and boards which I propose to do by means of Executive and military orders under existing law as complementary to Reorganization Plan No. II when it becomes effective.

Then, also, by mere administrative procedure, some small agencies which have been listed in various publications as independent establishments but whose independence has no basis in law or in formal Executive or military orders, may be reassigned to an appropriate placement by administrative procedure on the part of their respective heads.

Not all of the interdepartmental transfers and consolidations that are necessary and desirable have been accomplished in this Reorganization Plan No. II. I am directing the Bureau of the Budget to study these problems in order that they may be included in plans to be transmitted to the Congress at its next session.

For example, in order to save money and to do the work more efficiently there are some units which should be divided so that a part of the work may be done by one agency and a part by another. Take, for example, the business of mapping. It is obviously important that the work of making surveys and accumulating data for maps should be done in the various agencies which are concerned primarily with the purpose for which the map is being drawn. On the other hand, the business of manufacturing maps might very well be consolidated in order to save money, and to manufacture better maps.

I have considered the desirability of transferring the jurisdiction over deportable aliens from the Immigration and Naturalization Service in the Department of Labor to the Department of Justice, but I find that this matter will require further study, or perhaps legislation, and therefore it is not included in this plan.

I have also considered the problem of certain public lands insofar as they present overlapping jurisdiction between the Departments of the Interior and Agriculture.

Insofar as crops, including tree crops, are involved there is something to be said for their retention in the Department of Agriculture. But where lands are to be kept for the primary purpose of recreation and permanent public use and conservation they fall more logically into the Department of the Interior.

I hope to offer a reorganization plan on this early in the next session.

There are other types of work carried on in the Federal Government where it may prove necessary and desirable to divide the functions now being carried on by a particular unit so as the better to serve the basic purpose for which the work was undertaken. Such problems I shall continue to study with the view of sending other reorganization plans involving both interdepartmental and intradepartmental reorganizations to the Congress at its next session.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 22, 1940.

EX. ORD. NO. 8357. ADMINISTRATION OF THE FOREIGN SERVICE

Ex. Ord. No. 8357 Mar. 2, 1940, 5 F.R. 950, provided:

Under the authority vested in me by section 1(b) of Part I of Reorganization Plan No. II (effective July 1, 1939, by Public Resolution approved June 7, 1939, 53 Stat. 1431), and in effectuation of the provisions of subdivisions (2), (3), and (4) of that section, I hereby pre-

scribe the following regulations pertaining to officers designated by the Secretary of Commerce and the Secretary of Agriculture under the said subdivisions:

1. Officers designated by the Secretary of Commerce and the Secretary of Agriculture under subdivisions (2) and (3), respectively, of the said section 1(b) of Part I of Reorganization Plan No. II may, when acceptable to the Secretary of State, be sent abroad as specialists or technicians for temporary service under the provisions of, and subject to the conditions named in, section 5 of the act of March 3, 1927, 44 Stat. 1396 [former section 197d of Title 15], and section 2 of the act of June 5, 1930, 46 Stat. 498 [former section 542 of Title 7], as authorized by the said subdivisions (2) and (3), respectively.

2. The Secretary of State shall give suitable commissions to the officers described in paragraph 1 hereof and shall assign them to such offices as may be deemed necessary by him and the Secretary of the department concerned. Such officers, during the active period of their assignment, shall be considered a part of the organization of the Foreign Service, shall assume the status directed by the Secretary of State, and shall, in this respect, be subject to the jurisdiction of the Secretary of State. With the approval of the chief of the office to which they are attached, such officers may request reports from Foreign Service officers upon matters falling within the jurisdiction of their respective departments. The duties of such officers shall be restricted to the accomplishment of the special missions within the scope of their assignments.

3. The officers designated by the Secretary of Commerce and the Secretary of Agriculture under subdivision (4) of the said section 1(b) of Part I of Reorganization Plan No. II to serve in the Department of State as liaison officers shall, when acceptable to the Secretary of State, serve in matters of interest to their respective departments.

REORGANIZATION PLAN NO. III OF 1940

Eff. June 30, 1940, 5 F.R. 2107, 54 Stat. 1231, by act June 4, 1940, ch. 231, §4, 54 Stat. 231, as amended Aug. 23, 1958, Pub. L. 85-726, title XIV, §1401(c), 72 Stat. 806; Sept. 13, 1982, Pub. L. 97-258, §5(b), 96 Stat. 1068, 1085

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 2, 1940, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939.

DEPARTMENT OF THE TREASURY

SECTION 1. FISCAL SERVICE OF THE TREASURY DEPARTMENT

[Repealed. Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085. Section established the Fiscal Service of the Treasury Department, provided for the transfer of certain functions to the Fiscal Service and of certain functions relating to accounting, and abolished an office of Assistant Secretary of the Treasury. See 31 U.S.C. 306.]

SEC. 2. FEDERAL ALCOHOL ADMINISTRATION

[Repealed. Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085. Section abolished the Federal Alcohol Administration and provided that the Secretary administer its functions through the Bureau of Internal Revenue.]

DEPARTMENT OF THE INTERIOR

SEC. 3. FISH AND WILDLIFE SERVICE

The Bureau of Fisheries and the Bureau of Biological Survey in the Department of the Interior with their respective functions are consolidated into one agency in the Department of the Interior to be known as the Fish and Wildlife Service. The functions of the consolidated agency shall be administered under the direction and supervision of the Secretary of the Interior by a Director and not more than two Assistant Directors, who shall be appointed by the Secretary and perform such

duties as he shall prescribe. The offices of Commissioner and Deputy Commissioner of Fisheries and the offices of Chief and Associate Chief of the Bureau of Biological Survey are abolished and their functions transferred to the consolidated agency.

SEC. 4. RECORDER OF GENERAL LAND OFFICE

The office of Recorder of the General Land Office is abolished. The functions of the Recorder shall be exercised under the direction and supervision of the Secretary of the Interior through such officers or employees of the General Land Office as he may designate.

DEPARTMENT OF AGRICULTURE

SEC. 5. SURPLUS MARKETING ADMINISTRATION

The Division of Marketing and Marketing Agreements of the Agricultural Adjustment Administration of the Department of Agriculture and its functions and the Federal Surplus Commodities Corporation as an agency of the Department of Agriculture and its functions are consolidated into an agency in the Department of Agriculture to be known as the Surplus Marketing Administration. The Surplus Marketing Administration shall be headed by an Administrator, who shall be appointed by and be subject to the direction and supervision of the Secretary of Agriculture.

DEPARTMENT OF LABOR

SEC. 6. OFFICES IN THE IMMIGRATION AND NATURALIZATION SERVICE ABOLISHED

The offices of commissioner of immigration of the several ports and the offices of district commissioner of immigration and naturalization in the Department of Labor are abolished, and their functions shall be administered under the supervision of the Secretary of Labor by the Commissioner of Immigration and Naturalization through such district directors of immigration and naturalization as the Commissioner shall designate.

CIVIL AERONAUTICS AUTHORITY

SEC. 7. FUNCTIONS OF THE ADMINISTRATOR TRANSFERRED

[Repealed. Pub. L. 85-726, title XIV, §1401(c), Aug. 23, 1958, 72 Stat. 806. Section transferred to Administrator of Civil Aeronautics functions vested in Civil Aeronautics Authority by Civilian Pilot Training Act of 1939, functions of aircraft registration and safety regulation in titles V and VI of the Civil Aeronautics Act of 1938 with certain exceptions, the function provided for by section 1101 of that Act, and functions of appointing employees and authorizing necessary expenditures and travel.]

GENERAL PROVISIONS

SEC. 8. TRANSFER OF RECORDS, PROPERTY, AND PERSONNEL

All records and property (including office equipment) of the several agencies, and all records and property used primarily in the administration of any functions, transferred or consolidated by this Plan and all the personnel used in the administration of such agencies and functions (including officers whose chief duties relate to such administration and whose offices are not abolished) are transferred or consolidated, as the case may be, within the department or agency concerned, for use in the administration of the agencies and functions transferred or consolidated by this Plan: *Provided*, That any personnel transferred or consolidated within any department or agency by this section found by the head of such department or agency to be in excess of the personnel necessary for the administration of the functions transferred or consolidated shall be retransferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10(a) of the Reorganization Act of 1939.

SEC. 9. TRANSFER OF FUNDS

So much of the unexpended balances of appropriations, allocations, or other funds available (including funds available for the fiscal year ending June 30, 1941) for the use of any agency in the exercise of any function transferred or consolidated by this Plan, or for the use of the head of any department or agency in the exercise of any function so transferred or consolidated, as the Director of the Bureau of the Budget with the approval of the President shall determine, shall be transferred within the department or agency concerned for use in connection with the exercise of the function so transferred or consolidated. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of sections 4(d)(3) and section 9 of the Reorganization Act of 1939.

MESSAGE OF THE PRESIDENT

To the Congress of the United States:

When I submitted Reorganization Plans I and II at the last regular session of Congress, I indicated that certain reorganizations of an intradepartmental character were necessary but that detailed study would be required for the preparation of specific plans. Since that time the heads of the executive departments and my own office have continued to study the internal organization of the several agencies of the Government. I have considered recommendations made to me as a result of these studies and have found it possible to make a number of needed improvements of organization by administrative action. In other instances, I can effect the necessary changes only under the procedure set up in the Reorganization Act of 1939.

I am transmitting herewith Reorganization Plan III, which I have prepared in accordance with the provisions of section 4 of the Reorganization Act of 1939 (Public, No. 19, 76th Cong., 1st sess.) approved April 3, 1939; and I declare that with respect to each reorganization made in this plan, I have found that such reorganization is necessary to accomplish one or more of the purposes of section 1(a) of the act:

1. To reduce expenditures;
2. To increase efficiency;
3. To consolidate agencies according to major purposes;
4. To reduce the number of agencies by consolidating those having similar functions and by abolishing such as may not be necessary; and
5. To eliminate overlapping and duplication of effort.

TREASURY DEPARTMENT

I am proposing two intradepartmental reorganizations relating to the Treasury Department.

The first reorganization consolidates in a Fiscal Service, under the direction of a permanent Fiscal Assistant Secretary, those functions of the Treasury Department pertaining to financing and fiscal activities. This Fiscal Service will bring together the Office of the Treasurer of the United States, the Office of Commissioner of Accounts and Deposits, and the Public Debt Service, including their various subdivisions and certain other related functions.

Some adjustments are made in the assignment of functions of the units which will comprise the Fiscal Service, and certain changes are made in titles. The net effect of these adjustments is to establish within the Fiscal Service the Office of Fiscal Assistant Secretary, the Office of the Treasurer of the United States, and a Bureau of Accounts under a Commissioner of Accounts, and a Bureau of Public Debt under the Commissioner of Public Debt. In addition to responsibility for the administration of these four segments of the Department's operations, the Fiscal Assistant Secretary is

vested with the financing functions of the Under Secretary of the Treasury and of the Assistant Secretaries.

The functions brought together in the Fiscal Service are all closely interrelated and are essential parts of the general functions of financing and fiscal control. The internal organization of the Fiscal Service conforms to accepted principles of financial management and provides the framework for adequate internal controls. At the same time, under the proposed plan these functions can be coordinated more effectively, duplications eliminated, and a more efficient service provided. To assure continued effective management of this highly important and technical phase of the Treasury functions, I am placing the Fiscal Service under the supervision of a career official. The plan, therefore, provides that the Fiscal Assistant Secretary will be appointed by the Secretary of the Treasury in accordance with civil-service laws and will perform his duties under the general direction of the Secretary. This is in accord with the policy of this administration of bringing higher administrative positions within the career service. The creation of the office of Fiscal Assistant Secretary will not increase the number of Assistant Secretaries in the Treasury Department since the plan expressly provides for the abolition of one of the three existing offices of Assistant Secretary.

The second reorganization affecting the Treasury Department vests in the Secretary of the Treasury full authority for the administration of the Federal Alcohol Administration Act. At present the Federal Alcohol Administration occupies an anomalous position. It is legally a part of the Treasury Department, but actually it is clothed with almost complete independence under existing statutory provisions. Under certain conditions the Administration would by law become an independent agency, whereas the interests of improved management require its integration with allied activities in the Treasury Department.

I propose, therefore, that the functions of the Federal Alcohol Administration be correlated with the activities of the Bureau of Internal Revenue, particularly its Alcohol Tax Unit. The Bureau is already performing a large part of the field enforcement work of the Administration and could readily take over complete responsibility for its work. The Bureau is daily making, for other purposes, a majority of the contacts with units of the liquor industry which the Federal Alcohol Administration should but cannot make without the establishment of a large and duplicating field force. Under the provisions of this plan, it will be possible more effectively to utilize the far-flung organization of the Treasury Department, including its many laboratories, in discharging the functions of the Federal Alcohol Administration. Thus, I find the proposed consolidation will remedy deficiencies in organization structure as well as afford a more effective service at materially reduced costs.

DEPARTMENT OF THE INTERIOR

Reorganization Plan II transferred the Bureau of Fisheries of the Department of Commerce and the Bureau of Biological Survey of the Department of Agriculture to the Department of the Interior and thus concentrated in one department the two bureaus responsible for the conservation and utilization of the wildlife resources of the Nation. On the basis of experience gained since this transfer, I find it necessary and desirable to consolidate these units into a single bureau to be known as the Fish and Wildlife Service.

The Bureau of Biological Survey administers Federal laws relating to birds, land mammals, and amphibians whereas the Bureau of Fisheries deals with fishes, marine mammals, and other aquatic animals. The natural areas of operation of these two bureaus frequently coincide, and their activities are interrelated and similar in character. Consolidation will eliminate duplication of work, facilitate coordination of programs, and improve service to the public.

Another provision relating to the Department of the Interior is the abolition of the statutory office of Re-

corder of the General Land Office. This office is a relic of the quill-and-sand-box period in the transcription of land records. Its duties can readily be absorbed by the regular civil-service personnel of the Land Office.

DEPARTMENT OF AGRICULTURE

I propose to consolidate the Division of Marketing and Marketing Agreements of the Agricultural Adjustment Administration and the Federal Surplus Commodities Corporation into a single agency to be known as the Surplus Marketing Administration. This consolidation will facilitate the work of the Department of Agriculture relating to the formulation and administration of marketing agreements and the disposition of agricultural surpluses.

Because the two programs require unified planning and direction, the Secretary of Agriculture has found it desirable to designate the same person as the head of both. In one capacity he reports directly to the Secretary of Agriculture while in the other he is responsible by law to the Administrator of the Agricultural Adjustment Administration. Consolidation of the two units will assure unified management, eliminate confusion in administration, and make for more efficient operation. Furthermore, this reorganization will remove from the Agricultural Adjustment Administration the legal responsibility for functions which differ administratively from its major operations.

DEPARTMENT OF LABOR

I propose to abolish the offices of commissioner of immigration and the offices of district commissioner of immigration and naturalization. The former have been vacant since 1933; the latter impose an unnecessary level of supervision above that of district director of immigration and naturalization in certain of our ports and should be eliminated in the interests of economy and sound administration.

CIVIL AERONAUTICS AUTHORITY

I propose to clarify the relations of the Administrator of the Civil Aeronautics Authority and the five-member Board of the Civil Aeronautics Authority. The Administrator is made the chief administrative officer of the Authority with respect to all functions other than those relating to economic regulation and certain other activities primarily of a rule-making and adjudicative character which are entrusted to the Board. This will eliminate the confusion of responsibilities existing under the Civil Aeronautics Act and provide a more clear-cut and effective plan of organization for the agency.

IMPROVEMENT AND SAVINGS

The principal advantage of the reorganizations proposed in this plan will be increased effectiveness of operation of the agencies concerned. In addition to improved service, some economies may be expected. I estimate that immediate annual savings in administrative expense of approximately \$150,000 will result. This comparatively small amount in no way measures the worth of the proposals. In fact, if they resulted in no administrative savings at all, I should still consider them worthwhile in view of the increased effectiveness of administration that will result.

NEED FOR CONTINUOUS STUDY

The management problems of a department or agency are complex and dynamic and require much detailed analysis before findings can be made. These problems cannot be resolved by any one reorganization plan, nor at one time; their study must be a continuing process if our departmental machinery is to keep pace with the changing requirements placed on the Government. Accordingly, in conformity with the Budget and Accounting Act, I have instructed the Director of the Bureau of the Budget to continue studies in collaboration with the several departments and agencies, looking to further improvements in the Government's administrative structure.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, April 2, 1940.

REORGANIZATION PLAN NO. IV OF 1940

Eff. June 30, 1940, 5 F.R. 2421, 54 Stat. 1234, by act June 4, 1940, ch. 231, §4, 54 Stat. 231, as amended Aug. 23, 1958, Pub. L. 85-726, title XIV, §1401(c), 72 Stat. 806; Sept. 13, 1982, Pub. L. 97-258, §5(b), 96 Stat. 1068, 1085

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 11, 1940, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939.

DEPARTMENT OF STATE

SECTION 1. TRANSFER OF DOMINICAN CUSTOMS RECEIVERSHIP

The functions of the Division of Territories and Island Possessions in the Department of the Interior relating to the Dominican Customs Receivership are transferred to the Department of State and shall be administered by the Secretary of State or under his direction and supervision by such agency in the Department of State as he shall designate.

DEPARTMENT OF THE TREASURY

SEC. 2. APPROVAL OF COMPROMISES

The functions of the Attorney General relating to the approval of compromises in accordance with the provisions of section 7 of the Federal Alcohol Administration Act [27 U.S.C. 207] are transferred to the Secretary of the Treasury, to be exercised by him or under his direction and supervision by such officer in the Department of the Treasury as he shall designate: *Provided*, That exclusive jurisdiction to compromise cases arising under the Federal Alcohol Administration Act [27 U.S.C. 201 et seq.] which are pending before the courts or which have been or may hereafter be referred to the Department of Justice for action shall be vested in the Attorney General, and may be exercised by him or by any officer in the Department of Justice designated by him.

DEPARTMENT OF JUSTICE

SEC. 3. DISBURSEMENT FUNCTIONS OF UNITED STATES MARSHALS

[Repealed. Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085. Section transferred functions relating to disbursement by United States Marshals to the Department of Justice to be exercised by United States Marshals under the supervision of the Attorney General. See 31 U.S.C. 3321.]

POST OFFICE DEPARTMENT

SEC. 4. FUNCTIONS OF POSTAL DISBURSEMENTS

[Repealed. Pub. L. 97-258, §5(b), Sept. 13, 1982, 96 Stat. 1068, 1085. Section transferred functions relating to disbursement of all postal revenues and all other funds under the jurisdiction of the Post Office Department, the Postmaster General, and the Board of Trustees of the Postal Savings System to the Board of Trustees as to postal savings disbursements and to the Post Office Department as to all other disbursements involved.]

SEC. 5. TRANSFER OF INTERBUILDING MESSENGER FUNCTIONS

(a) Except as prohibited by section 3(b) of the Reorganization Act of 1939, the function of regular interbuilding messenger service (including the transportation of mail) and the function of transportation of mail between Government agencies and the city post office, now exercised in the District of Columbia by agencies of the Government, are transferred from such agencies to and consolidated in the Post Office Department and shall be administered by the Postmaster General under such rules and regulations as the President

shall prescribe: *Provided*, That this section shall not apply to the transportation of moneys and securities by armored truck or by other special services, or to messenger service between contiguous buildings.

(b) The Director of the Bureau of the Budget may waive the transfer of any motor vehicle coming within the purview of section 14 of this plan where he finds that the retention of such vehicle is essential to the performance of functions other than those transferred by this section.

DEPARTMENT OF THE INTERIOR

SEC. 6. CERTAIN FUNCTIONS OF THE SOIL CONSERVATION SERVICE TRANSFERRED

The functions of the Soil Conservation Service in the Department of Agriculture with respect to soil and moisture conservation operations conducted on any lands under the jurisdiction of the Department of the Interior are transferred to the Department of the Interior and shall be administered under the direction and supervision of the Secretary of the Interior through such agency or agencies in the Department of the Interior as the Secretary shall designate.

DEPARTMENT OF COMMERCE

SEC. 7. TRANSFER OF CIVIL AERONAUTICS AUTHORITY

[Repealed. Pub. L. 85-726, title XIV, §1401(c), Aug. 23, 1958, 72 Stat. 806. Section transferred Civil Aeronautics Authority and Air Safety Board to Department of Commerce, consolidated their functions into Civil Aeronautics Board, and provided for exercise of rule-making, adjudication and investigation functions of Board independent of Secretary of Commerce.]

SEC. 8. TRANSFER OF WEATHER BUREAU

The Weather Bureau in the Department of Agriculture and its functions are transferred to the Department of Commerce and shall be administered under the direction and supervision of the Secretary of Commerce: *Provided*, That the Department of Agriculture may continue to make snow surveys and to conduct research concerning: (a) relationships between weather and crops, (b) long-range weather forecasting, and (c) relationships between weather and soil erosion.

DEPARTMENT OF LABOR

SEC. 9. TRANSFER OF CERTAIN FUNCTIONS RELATING TO ENFORCEMENT OF WAGE PAYMENTS ON PUBLIC CONSTRUCTION

The functions of the Secretary of the Treasury and the Secretary of the Interior under section 2 of the Act of June 13, 1934, entitled "An act to effectuate the purpose of certain statutes concerning rates of pay for labor, by making it unlawful to prevent anyone from receiving the compensation contracted for thereunder, and for other purposes" (48 Stat. 948) [now 40 U.S.C. 3145], are transferred to the Secretary of Labor and shall be administered by him or under his direction and supervision by such agency in the Department of Labor as the Secretary shall designate.

UNITED STATES MARITIME COMMISSION

SEC. 10. TRANSFER OF NAUTICAL SCHOOL FUNCTIONS

The functions of the Secretary of the Navy with respect to furnishing, maintaining, and repairing vessels for the use of State marine or nautical schools and with respect to administering grants of funds for the support of such schools are transferred to and shall be administered by the United States Maritime Commission. Jurisdiction over vessels, apparel, charts, books, and instruments now loaned to State marine or nautical schools is transferred from the Secretary of the Navy to the United States Maritime Commission.