

## § 584. Termination of act.

## TERMINATION OF WAR

Joint Res. July 25, 1947, ch. 327, § 4, 61 Stat. 454, provided: "For the purposes of article IV of the Act of October 17, 1940 (54 Stat. 1183-1186), as amended [sections 540-548 of this Appendix], the present war shall be deemed to have terminated within the meaning of section 604 (54 Stat. 1191) of the said Act [this section], as of the effective date of this joint resolution [July 25, 1947]".

## FIRST WAR POWERS ACT

ACT DEC. 18, 1941, CH. 593, 55 STAT. 838

## TITLE I.—COORDINATION OF EXECUTIVE BUREAUS IN THE INTEREST OF THE MORE EFFICIENT CONCENTRATION OF THE GOVERNMENT

## § 601. Coordination of executive bureaus, offices, etc., by President for national defense and to prosecute the war; issuance of regulations.

## FEDERAL LOAN AGENCY

Federal Loan Agency to continue to be administered as if this Executive Order had not been issued, see sections 1801 and 1802 of Title 12, Banks and Banking.

## EXECUTIVE ORDERS AND PROCLAMATION COORDINATING BUREAUS, OFFICES, ETC.

## Ex. Ord.

Nos.

9841. Termination of Office of Temporary Controls.  
9847. Liquidation of the Solid Fuels Administration for War.  
9903. Termination of Duty-Free Admission of War Materials Purchased by Certain Agencies.

## EX. ORD. NO. 9069. CONSOLIDATION OF AGENCIES WITHIN DEPARTMENT OF AGRICULTURE

## TRANSFER OF FUNCTIONS

Names of the Bureau of Plant Industry, the Bureau of Agricultural Chemistry and Engineering and the Bureau of Home Economics, referred to in section 3 of this Executive Order, were changed to the Bureau of Plant Industry, Soils, and Agricultural Engineering, the Bureau of Agricultural and Industrial Chemistry, and the Bureau of Human Nutrition and Home Economics, respectively, by departmental action in February, 1943. Functions of the agencies mentioned in said section were transferred to the Secretary of Agriculture by 1947 Reorg. Plan No. 1, § 301, eff. July 1, 1947, 12 F. R. 4534, 61 Stat. 952. See note to section 391 of Title 7, Agriculture.

## EX. ORD. NO. 9070. CONSOLIDATION OF HOUSING AGENCIES AND FUNCTIONS INTO NATIONAL HOUSING AGENCY

[For reorganization of the housing agencies to which this Executive Order relates, see 1947 Reorg. Plan No. 3, eff. July 27, 1947, 12 F. R. 4981, 61 Stat. 954, set out in note to section 133y-16 of Title 5, Executive Departments and Government Officers and Employees.]

## EX. ORD. NO. 9302. TRANSFERRING TO COMMISSIONERS OF INTERNAL REVENUE CERTAIN FUNCTIONS RELATING TO TAXES AND PENALTIES FOR VIOLATION OF NATIONAL PROHIBITION ACT

[Permanent transfer of the functions affected by this Executive Order, see 1947 Reorg. Plan No. 1, § 202, eff. July 1, 1947, 12 F. R. 4534, 61 Stat. 951, set out in note to section 133y-16 of Title 5, Executive Departments and Government Officers and Employees.]

## EX. ORD. NO. 9332. ESTABLISHING SOLID FUELS ADMINISTRATION FOR WAR

[Ex. Ord. No. 9332, Apr. 19, 1943, 8 F. R. 5355, establishing the Solid Fuels Administration for War was revoked effective June 30, 1947 by Ex. Ord. No. 9847, May 6, 1947, 12 F. R. 3047, set out as a note under this section.]

## EX. ORD. NO. 9809. DISPOSITION OF CERTAIN WAR AGENCIES

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8. \* \* \*  
[Changes made by this section made permanent, see note to section 104 of Title 41, Public Contracts.]  
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## EX. ORD. NO. 9841. TERMINATION OF OFFICE OF TEMPORARY CONTROLS

Ex. Ord. No. 9841, Apr. 23, 1947, 12 F. R. 2645, provided: WHEREAS the Congress, in the Urgent Deficiency Appropriation Act, 1947, approved March 22, 1947 [ch. 20, 61 Stat. 14] has declared its intent that the Office of Temporary Controls be closed and liquidated by June 30, 1947; and

WHEREAS it is necessary to provide for the orderly liquidation of such Office and the disposition of its residual affairs:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and Statutes, including the last paragraph of Title I of the First Supplemental Surplus Appropriation Rescission Act, 1946, approved February 18, 1946 [ch. 30, 60 Stat. 6], Title III of the Second War Powers Act, 1942, as amended by the First Decontrol Act of 1947 [section 633 of this Appendix], section 201 (b) of the Emergency Price Control Act of 1942, as amended [section 901 (b) of this Appendix], section 2 of the Stabilization Act of 1942, as amended [section 982 of this Appendix], and Title I of the First War Powers Act, 1941 [sections 601-605 of this Appendix], and as President of the United States, it is hereby ordered, in the interest of the internal management of the Government, as follows:

## PART I

101. The Office of Temporary Controls, established by Executive Order No. 9809 of December 12, 1946 [set out as a note under section 601 of this Appendix], shall be terminated and disposition shall be made of its functions according to the provisions of this order.

## PART II

201. The provisions of this Part shall become effective on May 4, 1947.

202. Functions of the Temporary Controls Administrator under the Emergency Price Control Act of 1942, as amended, Executive Order No. 9809, and any other statute, order, or delegation are transferred as follows:

(a) Functions with respect to rent control are transferred to the Housing Expediter and shall be performed by him or, subject to his direction and control, by such officers or agencies of the Government as he may designate.

(b) Functions with respect to price control over rice are transferred to the Secretary of Agriculture and shall be performed by him or, subject to his direction and control, by such officers or agencies of the Department of Agriculture as he may designate.

(c) Functions with respect to (1) subsidies, including determinations of the correct amounts of claims and the recovery of over-payments (but excluding premium-payment functions transferred under paragraph 302 (b) hereof); (2) applications for price adjustments filed under Supplementary Order 9 and Procedural Regulation 6 (Adjustment of Maximum Prices for Commodities and Services under Government Contracts or Subcontracts, 7 F. R. 5087, 5444) of the Office of Price Administration; and (3) the interpretation and application of price and subsidy regulations and orders which affect the amount of subsidy payable; are transferred to the Reconstruction Finance Corporation.

203. The following functions of the Temporary Controls Administrator are transferred to the Secretary of Commerce and shall be performed by him or, subject to his direction and control, by such officers and agencies of the Department of Commerce as he may designate:

(a) Functions of the President under Title III of the Second War Powers Act, 1942, as amended, vested in the Temporary Controls Administrator immediately prior to the taking of effect of this Part.

(b) Functions with respect to determining, under section 6 (a) of the Strategic and Critical Materials Stock-

pling Act [section 98e (a) of this title], the amount of strategic and critical materials necessary to make up any deficiency of the supply thereof for the current requirements of industry.

(c) Functions under section 124 of the Internal Revenue Code, as amended.

(d) Functions under section 12 of the act of June 11, 1942 (the Small Business Mobilization Act [section 1112 of this Appendix]).

(e) Functions with respect to claims relating to the expansion of the capacity of defense plants when such expansion is alleged to have been undertaken at the request of the War Production Board or any of its predecessor agencies.

(f) Functions with respect to claims relating to property requisitioned by the Chairman of the War Production Board or by any of his predecessors.

(g) Except as otherwise provided by statute or this or any other Executive order, all other functions of the Temporary Controls Administrator which were immediately prior to the taking of effect of Executive Order No. 9809 vested in the Civilian Production Administrator.

204. Executive Order No. 9705 of March 15, 1946 [set out as a note under section 608c of Title 7] (as modified by Executive Orders Nos. 9762 and 9809) is revoked.

205. Any authority vested in the Temporary Controls Administrator in pursuance of section 120 of the National Defense Act of 1916 [section 80 of this title] (with respect to placing compulsory orders for products or materials) is withdrawn and terminated.

#### PART III

301. The provisions of this Part shall become effective June 1, 1947.

302. All functions vested in the Temporary Controls Administrator by Executive Order No. 9809 not otherwise disposed of by statute or by this or any other Executive order are transferred to the Secretary of Commerce and shall be performed by him or, subject to his direction and control, by such officers or agencies of the Department of Commerce as the Secretary may designate. Such functions shall include, but not be limited to, the following:

(a) Functions of the President under the Stabilization Act of 1942, as amended, vested in the Temporary Controls Administrator immediately prior to the taking of effect of this Part.

(b) Functions with respect to premium payments under section 2 (e) (a) (2) of the Emergency Price Control Act of 1942, as amended, insofar as such payments relate to copper, lead, and zinc ores.

(c) Functions with respect to the establishment of maximum prices for industrial alcohol sold to the Government or its agencies.

(d) The liquidation of the functions of the Office of Temporary Controls and of the agencies thereof, except liquidation relating to functions specifically transferred to other agencies (by the provisions of this order or otherwise).

303. The Office of Temporary Controls is terminated.

#### PART IV

401. The provisions of this Part shall become effective, respectively, on the dates on which functions are transferred or otherwise vested by the provisions of this order.

402. Functions under the Emergency Price Control Act of 1942, as amended, transferred under the provisions of this order shall be deemed to include authority on the part of each officer to whom such functions are transferred hereunder to institute, maintain, or defend in his own name civil proceedings in any court (including the Emergency Court of Appeals), relating to the matters transferred to him, including any such proceedings pending on the effective date of the transfer of any such function under this order. The provisions of this paragraph shall be subject to the provisions of the Executive order entitled "Conduct of Certain Litigation Arising under Wartime Legislation," issued on the date of this order and effective June 1, 1947.

403. (a) The records, property, and personnel relating primarily to the respective functions transferred under the provisions of this order shall be transferred, and the

funds relating primarily to such respective functions shall be transferred or otherwise made available, to the agencies to which such functions are transferred. Such measures and dispositions as may be determined by the Director of the Bureau of the Budget to be necessary to effectuate the purposes and provisions of this paragraph shall be carried out in such manner as the Director may determine and by such agencies as he may designate.

(b) In order that the confidential status of any records affected by this order shall be fully protected and maintained, the use of any confidential records transferred hereunder shall be so restricted by the respective agencies as to prevent the disclosure of information concerning individual persons or firms to persons who are not engaged in functions or activities to which such records are directly related, except as provided for by law or as required in the final disposition thereof pursuant to law.

404. All provisions of prior Executive orders in conflict with this order are amended accordingly. All other prior and currently effective orders, rules, regulations, directives, and other similar instruments relating to any function transferred by the provisions of this order or issued by any agency terminated hereunder or by any predecessor or constituent agency thereof, shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

405. As used in this order, "functions" includes powers, duties, authorities, discretions, and responsibilities.

#### EX. ORD. NO. 9847. LIQUIDATION OF THE SOLID FUELS ADMINISTRATION FOR WAR

Ex. Ord. No. 9847, May 6, 1947, 12 F. R. 3047, provided:

By virtue of the authority vested in me by the Constitution and the statutes of the United States, including the last paragraph of Title I of the First Supplemental Surplus Appropriation Rescission Act, 1946, approved February 18, 1946 (60 Stat. 6, 13), and as President of the United States, it is hereby ordered, in the interest of the internal management of the Government, as follows:

1. Effective on the date of this order the authority of the Solid Fuels Administrator to exercise any power or function vested in him by the provisions of Executive Order No. 9332 of April 19, 1943, establishing the Solid Fuels Administration for War, is terminated.

2. Effective at the close of business on June 30, 1947, the Solid Fuels Administration for War is abolished, and Executive Order No. 9332 of April 19, 1943, is revoked.

3. The Secretary of the Interior, acting through the Solid Fuels Administration for War until its abolishment and thereafter through such agency or agencies of the Department of the Interior as he may designate, is authorized to wind up and liquidate the affairs of the Solid Fuels Administration for War as expeditiously as practicable and to utilize for such purposes, to the extent necessary, the personnel, property, records, and funds of the Solid Fuels Administration for War and such other funds as may be appropriated therefor.

4. All prior Executive orders in conflict with this order are amended accordingly.

HARRY S. TRUMAN

#### EX. ORD. NO. 9903. TERMINATION OF DUTY-FREE ADMISSION OF WAR MATERIALS PURCHASED BY CERTAIN AGENCIES

Ex. Ord. No. 9903, Nov. 13, 1947, 12 F. R. 7413, provided:

By virtue of the authority vested in me as President of the United States, it is hereby ordered, in the interest of the internal management of the Government, as follows:

Except as to articles entered for consumption, or withdrawn from warehouse for consumption, prior to the thirtieth day after the date of this order, there is hereby terminated the authority of (1) the Secretary of Agriculture and the Reconstruction Finance Corporation and its Board of Directors under Executive Order No. 9177 of May 30, 1942 (7 F. R. 4195) [set out as a note under this section], (2) the United States Maritime Commission under Executive Order No. 9495 of October 30, 1944 (9 F. R. 13035) [set out as a note under this section] and (3) the Secretary of Commerce under Executive Order No. 9768 of August 9, 1946 (11 F. R. 8711) [set out as a note under this section].

All provisions of prior Executive orders inconsistent with the provisions of this order are amended accordingly.

## TITLE II.—CONTRACTS

## § 611. War contracts exempt from certain restrictions upon authorization by President.

## EXECUTIVE ORDERS COORDINATING BUREAUS, OFFICES, ETC.

EX. ORD. 9519. EXTENSION OF EXECUTIVE ORDER No. 9001 TO THE OFFICE OF WAR MOBILIZATION AND RECONVERSION, THE OFFICE OF CONTRACT SETTLEMENT, THE SURPLUS PROPERTY BOARD, AND THE RESTRAINING AND REEMPLOYMENT ADMINISTRATION

[Abolition of Office of Contract Settlement and transfer of functions, see note to section 104 of Title 41, Public Contracts.]

EX. ORD. No. 9592. EXTENSION OF EX. ORD. No. 9001 TO CONTRACTS OF THE OFFICE OF WAR INFORMATION AND THE OFFICE OF ALIEN PROPERTY CUSTODIAN

[Termination of Office of Alien Property Custodian and transfer of its functions, see notes to section 6 of this Appendix.]

## TITLE III.—TRADING WITH THE ENEMY

## § 616. Amendment of section 5 of this Appendix and section 95a of Title 12.

## DELEGATION OF POWERS

Delegation of President's powers under this section to the Secretary of the Treasury and the Alien Property Custodian; and transfer of Alien Property Custodian's powers to the Attorney General, see Ex. Ord. Nos. 9095 and 9788, set out in notes to section 6 of this Appendix.

## § 618. Repealed. July 5, 1947, ch. 327, § 1, 61 Stat. 449.

## §§ 619, 620.

## TRANSFER OF FUNCTIONS

Functions of the Alien Property Custodian and the Office of Alien Property Custodian, except those relating to property or interest in the Philippines, are now vested in the Attorney General. See notes to section 6 of this Appendix.

## SECOND WAR POWERS ACT, 1942

ACT MAR. 27, 1942, 3 P. M., E. W. T., CH. 199,  
56 STAT. 176

## TITLE III.—PRIORITIES POWERS

## § 633. Amendment of section 1152 of this Appendix.

## CHANGE OF NAME

The Department of War was designated the Department of the Army and the title of the Secretary of War was changed to Secretary of the Army by act July 26, 1947, ch. 343, title II, § 205 (a), 61 Stat. 501.

## EXTENSION OF CERTAIN PRESIDENTIAL POWERS UNDER THIS SECTION

First Decontrol Act of 1947. Act Mar. 31, 1947, ch. 29, 61 Stat. 34, provided:

"Section 1. *Short Title.* This Act [Act Mar. 31, 1947] shall be cited as the 'First Decontrol Act of 1947.'

"Section 2. *Declaration of Congressional Purposes.* The Congress hereby declares that it is vital to a free economy and full production in the United States that all emergency controls and war powers under the Second War Powers Act [sections 631-638, 640-641e, and 643-645a of this Appendix] be removed except in certain limited instances.

"The Congress further declares that in each such limited instance the authority for such emergency controls and war powers should not be exercised by the grant of broad, general war powers but should be granted by restrictive, specific legislation.

"Section 3. *Amendment of Section 645 of this Appendix.* For the purpose of liquidating existing emergency controls and war powers and for the purpose of affording further opportunity for the appropriate com-

mittees of the Congress to consider specific legislation granting restricted authority in limited instances, title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended [section 645 of this Appendix], is amended to read as follows:

"Sec. 1501. Except as otherwise provided by statute enacted during the first session of the Eightieth Congress on or before the date this section as amended takes effect [Mar. 31, 1947], titles I, II, III, IV, V, VII, and XIV of this Act [sections 631-635, 637, and 644-644b of this Appendix] and the amendments to existing law made by such titles shall remain in force only until March 31, 1947, except that such title III [section 633 of this Appendix], and the amendments to existing law made by such title, shall remain in force until June 30, 1947, for the following purposes: (a) Allocations of cinchona bark and cinchona alkaloids, manila (abaca) fiber and cordage, agave fiber and cordage, tin and tin products, antimony and streptomycin; (b) allocations limited to control of production for export of tractors; (c) allocations of the use of transportation equipment and facilities by rail carriers; (d) allocations of materials or facilities for export which are required to expand the production in foreign countries of materials critically needed in the United States; (e) allocations of materials or facilities which are certified by the Secretaries of State and Commerce as necessary to meet international commitments: *Provided*, That any materials or facilities which were not being allocated on March 24, 1947, shall not be allocated hereafter under the provisions of such title III [section 633 of this Appendix]: *Provided further*, That the two Houses of Congress by concurrent resolution or the President may designate an earlier time for the termination of any power of allocation under such title: *Provided further*, That nothing herein contained shall be construed to continue beyond March 31, 1947, any authority to allocate sugar, rubber, or the derivatives thereof. After the amendments made by any such title cease to be in force, any provisions of law amended thereby (except subsection (a) of section 2 of the Act entitled "An Act to expedite national defense, and for other purposes", approved June 28, 1940, as amended by the Act of May 31, 1941 [section 1152 (a) of this Appendix]) shall be in full force and effect as though this Act had not been enacted."

Second Decontrol Act of 1947.—Act July 15, 1947, ch. 248, 61 Stat. 321, as amended by act Feb. 28, 1948, ch. 85, 62 Stat. 58; June 4, 1948, ch. 419, § 1, 62 Stat. 342, provided: "[Sec. 1. *Short title.*] That this Act [Act July 15, 1947] shall be cited as the 'Second Decontrol Act of 1947.'

"Sec. 2. *Findings of fact and declaration of policy.*

"(a) Certain materials and facilities continue in short supply at home and abroad as a result of the war. The continued exercise of certain limited emergency powers is required to complete the orderly reconversion of the domestic economy from a wartime to a peacetime basis, to protect the health, safety, and welfare of the American people, and to support the foreign policy of the United States.

"(b) The Congress hereby declares that it is the general policy of the United States to eliminate emergency wartime controls of materials except to the minimum extent necessary (1) to protect the domestic economy from the injury which would result from adverse distribution of materials which continue in short world supply; (2) to promote production in the United States by assisting in the expansion and maintenance of production in foreign countries of materials critically needed in the United States; (3) to make available to countries in need, consistent with the foreign policy of the United States, those commodities whose unrestricted export to all destinations would not be appropriate; and (4) to aid in carrying out the foreign policy of the United States.

"Sec. 3. *Temporary retention of certain emergency powers.* To effectuate the policies set forth in section 2 hereof, title XV, section 1501, of the Second War Powers Act, 1942, approved March 27, 1942, as amended, [section 645 of this Appendix] is amended to read as follows:

"Sec. 1501. (a) Except as otherwise provided by statute enacted during the Eightieth Congress (including the First Decontrol Act of 1947 [set out above in this note] and Public Law numbered 145, approved June 30, 1947