

81ST CONGRESS
1ST SESSION

S. 2073

IN THE SENATE OF THE UNITED STATES

JUNE 14 (legislative day, JUNE 2), 1949

Mr. McCLELLAN introduced the following bill; which was read twice and referred to the Committee on Expenditures in the Executive Departments

A BILL

Making certain changes in laws applicable to regulatory agencies of the Government so as to effectuate the recommendations regarding regulatory agencies made by the Commission on Organization of the Executive Branch of the Government.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “Regulatory Agencies
4 Act, 1949”.

5 INTERSTATE COMMERCE COMMISSION

6 SEC. 2. Section 11 of the Interstate Commerce Act, as
7 amended (U. S. C., title 49, sec. 11), is amended by in-
8 serting at the end thereof the following: “The functions of
9 the Commission in respect of (1) its internal management,

1 including budgeting and accounting, personnel (including
2 appointments and assignments), supply, management re-
3 search, information and publications, and other administra-
4 tive matters; (2) its relations with Congress; and (3) the
5 execution of its policies, shall be performed on behalf of
6 the Commission by the Chairman, and the Chairman shall
7 have exclusive and final authority, on behalf of the Com-
8 mission, in respect of such functions. Such authority of the
9 Chairman may be exercised, subject to the direction and
10 control of the Chairman, by any officer or employee of
11 the Commission designated by the Chairman for such
12 purpose.”

13 FEDERAL TRADE COMMISSION

14 SEC. 3. Section 1 of the Federal Trade Commission
15 Act, as amended (U. S. C., title 15, sec. 41), is amended
16 by inserting at the end thereof the following:

17 “The functions of the Commission in respect of (1) its
18 internal management, including budgeting and accounting,
19 personnel (including appointments and assignments), sup-
20 ply, management research, information and publications, and
21 other administrative matters; (2) its relations with Con-
22 gress; and (3) the execution of its policies, shall be per-
23 formed on behalf of the Commission by the Chairman, and
24 the Chairman shall have exclusive and final authority, on
25 behalf of the Commission, in respect of such functions. Such

1 authority of the Chairman may be exercised, subject to the
2 direction and control of the Chairman, by any officer or
3 employee of the Commission designated by the Chairman
4 for such purpose.”

5 FEDERAL POWER COMMISSION

6 SEC. 4. Section 1 of the Federal Power Act, as amended
7 (U. S. C., title 16, sec. 792), is amended—

8 (a) By inserting immediately before the sentence “Not
9 more than three of the Commissioners shall be appointed
10 from the same political party” the following: “Upon the
11 expiration of his term of office, a Commissioner shall con-
12 tinue to serve until his successor is appointed and shall have
13 qualified. Any Commissioner may be removed by the Presi-
14 dent for inefficiency, neglect of duty, or malfeasance in office,
15 but for no other cause.”; and

16 (b) By inserting at the end thereof a new paragraph
17 reading as follows:

18 “The functions of the Commission in respect of (1) its
19 internal management, including budgeting and accounting,
20 personnel (including appointments and assignments), supply,
21 management research, information and publications, and
22 other administrative matters; (2) its relations with Con-
23 gress; and (3) the execution of its policies, shall be per-
24 formed on behalf of the Commission by the Chairman, and
25 the Chairman shall have exclusive and final authority, on

1 behalf of the Commission, in respect of such functions.
2 Such authority of the Chairman may be exercised, subject
3 to the direction and control of the Chairman, by any officer
4 or employee of the Commission designated by the Chairman
5 for such purpose.”

6 UNITED STATES MARITIME COMMISSION

7 SEC. 5. Section 201 (a) of the Merchant Marine Act,
8 1936, as amended (U. S. C., title 46, sec. 1111), is
9 amended—

10 (a) By inserting after the fourth sentence thereof the
11 following: “Upon the expiration of his term of office, a
12 Member shall continue to serve until his successor is ap-
13 pointed and shall have qualified.”; and

14 (b) By inserting at the end thereof the following:
15 “The functions of the Commission in respect of (1) its
16 internal management, including budgeting and accounting,
17 personnel (including appointments and assignments),
18 supply, management research, information and publications,
19 and other administrative matters; (2) its relations with
20 Congress; and (3) the execution of its policies, shall be
21 performed on behalf of the Commission by the Chairman,
22 and the Chairman shall have exclusive and final authority,
23 on behalf of the Commission, in respect of such functions.
24 Such authority of the Chairman may be exercised, subject
25 to the direction and control of the Chairman, by any officer

1 or employee of the Commission designated by the Chair-
2 man for such purpose.”

3 SECURITIES AND EXCHANGE COMMISSION

4 SEC. 6. Section 4 of the Securities Exchange Act of
5 1934, as amended (U. S. C., title 15, sec. 78d), is
6 amended—

7 (a) By inserting at the end of subsection (a) the
8 following: “Upon the expiration of his term of office, a
9 Commissioner shall continue to serve until his successor is
10 appointed and shall have qualified. Any Commissioner may
11 be removed by the President for inefficiency, neglect of
12 duty, or malfeasance in office, but for no other cause.”; and

13 (b) By inserting after subsection (b) thereof a new
14 subsection reading as follows:

15 “(c) The functions of the Commission in respect of
16 (1) its internal management, including budgeting and ac-
17 counting, personnel (including appointments and assign-
18 ments), supply, management research, information and pub-
19 lications, and other administrative matters; (2) its relations
20 with Congress; and (3) the execution of its policies, shall
21 be performed on behalf of the Commission by the Chairman,
22 and the Chairman shall have exclusive and final authority,
23 on behalf of the Commission, in respect of such functions.
24 Such authority of the Chairman may be exercised, subject to

1 the direction and control of the Chairman, by any officer or
2 employee of the Commission designated by the Chairman
3 for such purpose.”

4 FEDERAL COMMUNICATIONS COMMISSION

5 SEC. 7. (a) Section 4 (b) of the Communications Act
6 of 1934, as amended (U. S. C., title 47, sec. 154), is
7 amended by inserting at the end thereof the following: “Any
8 Commissioner may be removed by the President for in-
9 efficiency, neglect of duty, or malfeasance in office, but for
10 no other cause.”

11 (b) Section 4 (c) of the Communications Act of 1934,
12 as amended (U. S. C., title 47, sec. 154 (c)), is amended
13 by inserting at the end thereof the following: “Upon the
14 expiration of his term of office, a Commissioner shall continue
15 to serve until his successor is appointed and shall have
16 qualified.”

17 (c) Section 5 of the Communications Act of 1934, as
18 amended (U. S. C., title 47, sec. 155), is amended by in-
19 serting at the end thereof a new subsection reading as
20 follows:

21 “(f) The functions of the Commission in respect of (1)
22 its internal management, including budgeting and accounting,
23 personnel (including appointments and assignments) , supply,
24 management research, information and publications, and
25 other administrative matters; (2) its relations with Con-

1 gress; and (3) the execution of its policies, shall be per-
 2 formed on behalf of the Commission by the Chairman, and
 3 the Chairman shall have exclusive and final authority, on
 4 behalf of the Commission, in respect of such functions. Such
 5 authority of the Chairman may be exercised, subject to the
 6 direction and control of the Chairman, by any officer or
 7 employee of the Commission designated by the Chairman
 8 for such purpose.”

9 CIVIL AERONAUTICS BOARD—

10 SEC. 8. (a) Section 201 (a) of the Civil Aeronautics
 11 Act, as amended (U. S. C., title 49, sec. 421), is amended
 12 by inserting after the third sentence thereof the following:
 13 “Upon the expiration of his term of office, a Member shall
 14 continue to serve until his successor is appointed and shall
 15 have qualified.”

16 (b) Section 205 of the Civil Aeronautics Act, as
 17 amended (U. S. C., title 49, sec. 425), is amended by in-
 18 serting at the end thereof a new subsection reading as
 19 follows:

20 “(e) The functions of the Board in respect of (1) its
 21 internal management, including budgeting and accounting,
 22 personnel (including appointments and assignments), sup-
 23 ply, management, research, information and publications,
 24 and other administrative matters; (2) its relations with
 25 Congress; and (3) the execution of its policies, shall be per-

1 formed on behalf of the Board by the Chairman, and the
2 Chairman shall have exclusive and final authority, on be-
3 half of the Board, in respect of such functions. Such author-
4 ity of the Chairman may be exercised, subject to the direction
5 and control of the Chairman, by any officer or employee
6 of the Board designated by the Chairman for such purpose.”

7 NATIONAL LABOR RELATIONS BOARD

8 SEC. 9. (a) Section 3 (a) of the National Labor Rela-
9 tions Act, as amended (U. S. C., title 29, sec. 153), is
10 amended by inserting after the third sentence thereof the
11 following: “After the date of the enactment of the Regula-
12 tory Agencies Act, 1949, appointments to fill vacancies in
13 the membership of the Board shall be so made that as soon
14 as possible after such date and thereafter not more than
15 three members of the Board will be members of the same
16 political party. Upon the expiration of his term of office,
17 a member of the Board shall continue to serve until his suc-
18 cessor is appointed and shall have qualified.”

19 (b) Section 3 of the National Labor Relations Act, as
20 amended (U. S. C., title 29, sec. 153), is amended by
21 inserting at the end thereof a new subsection reading as
22 follows:

23 “(e) The functions of the Board in respect of (1) its
24 internal management, including budgeting and accounting,
25 personnel (including appointments and assignments), supply,

1 management research, information and publications, and
 2 other administrative matters; (2) its relations with Congress;
 3 and (3) the execution of its policies, shall be performed on
 4 behalf of the Board by the Chairman, and the Chairman
 5 shall have exclusive and final authority, on behalf of the
 6 Board, in respect of such functions. Such authority of the
 7 Chairman may be exercised, subject to the direction and
 8 control of the Chairman, by any officer or employee of the
 9 Board designated by the Chairman for such purpose.”

10 BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

11 SEC. 10. (a) Section 10 of the Federal Reserve Act,
 12 as amended (U. S. C., title 12, sec. 241), is amended by
 13 inserting after the sentence reading “In selecting the mem-
 14 bers of the Board, not more than one of whom shall be
 15 selected from any one Federal Reserve district, the President
 16 shall have due regard to a fair representation of the financial,
 17 agricultural, industrial, and commercial interests, and geo-
 18 graphical divisions of the country” a new sentence reading
 19 as follows: “After the date of the enactment of the Regu-
 20 latory Agencies Act, 1949, appointments to fill vacancies
 21 in the membership of the Board shall be so made that as
 22 soon as possible after such date and thereafter not more than
 23 four members of the Board will be members of the same
 24 political party.”

25 (b) Section 10 of the Federal Reserve Act, as amended

1 (U. S. C., title 12, sec. 242), is amended by striking out
2 the sentence reading "The chairman of the Board, subject
3 to its supervision, shall be its active executive officer" and
4 inserting in lieu thereof the following: "The functions of
5 the Board in respect of (1) its internal management, includ-
6 ing budgeting and accounting, personnel (including appoint-
7 ments and assignments), supply, management research,
8 information and publications, and other administrative
9 matters, (2) its relations with Congress, and (3) the
10 execution of its policies, shall be performed on behalf of
11 the Board by the Chairman, and the Chairman shall have
12 exclusive and final authority, on behalf of the Board, in
13 respect of such functions. Such authority of the Chairman
14 may be exercised, subject to the direction and control of
15 the Chairman, by any officer or employee of the Board
16 designated by the Chairman for such purpose."

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