

November 30, 1934.

MEMORANDUM FOR MR. ECCLES:

The so-called "Economy Act", as amended by Title IV of the Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, defines the term "executive agency" as meaning any commission, independent establishment, board, bureau, division, service, or office in the executive branch of the Government and with a certain exception includes the executive departments. It empowers the President to transfer the whole or any part of any executive agency and/or the functions thereof to the jurisdiction and control of any other executive agency; to consolidate the functions vested in any executive agency; to abolish the whole or any part of any executive agency and/or the functions thereof; and to designate and fix the name and functions of any consolidated activity or executive agency and the title, power and duties of its executive head.

The exception as to executive departments is that the President shall not have the authority under this title to abolish or transfer an executive department and/or all the functions thereof.

The Act provides that whenever the President makes an executive order under this title such executive order shall be submitted to the Congress while in session and shall not become effective until after the expiration of sixty calendar days after such transmission unless Congress shall by law provide for an earlier effective date of such executive order. There are a number of other incidental provisions but the foregoing is sufficient to give you the high points of the President's authority and the limitations thereon.

*CW*