

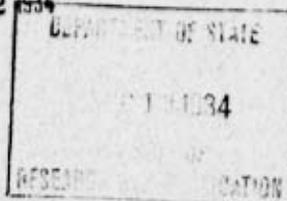
62842

MODIFICATIONS OF THE CODE
SIGNED BY THE PRESIDENT
SEPTEMBER 13, 1933.

Press Release No. 14
9/13/33.

ADMINISTRATOR FOR THE PETROLEUM INDUSTRY
INTERIOR DEPARTMENT BUILDING
WASHINGTON

DEC 12 1934



The Honorable

The Secretary of State.

My dear Mr. Secretary:

I transmit to you herewith the original "Modifications of the Code of Fair Competition for the Petroleum Industry," approved by the President September 13, 1933. This document has been retained in my files as Administrator of the Code of Fair Competition for the Petroleum Industry since the time of its approval by the President for the reason that it was in the nature of Code amendments and differed from the usual Executive Order. I am, however, sending it to you now at the request of the Department of Justice.

Sincerely yours,

Harold G. Fisher

Administrator.

Inclosure.

EXECUTIVE ORDER

MODIFICATIONS OF CODE OF FAIR COMPETITION FOR THE
PETROLEUM INDUSTRY.

In order to clarify and complete the Code of Fair Competition for the Petroleum Industry approved by me August 19, 1933, the following modifications of said Code are hereby approved in accordance with my letter signed simultaneously with the approval of said Code, and in accordance with the provisions of said Code, the National Industrial Recovery Act (Public 67 - 73d Congress), and the application and recommendations of the Planning and Coordination Committee of the petroleum industry:

To Article I add a new section as follows:

Section 4(a). The President may impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees and others, and in furtherance of the public interest, and may provide such exceptions from the provisions of this Code as the President in his discretion deems necessary to effectuate the policy of the National Industrial Recovery Act; provided that all such matters shall first be considered and recommendations made in regard thereto by the Planning and Coordination Committee.

ARTICLE II, Section 1, is amended to read as follows:

Section 1. In drilling, production, refinery and pipe-line

operations, the maximum hours for clerical employees shall not exceed 48 hours in any one week nor more than 80 hours in any two weeks and the rate of pay for each geographic division shall not be less than the minimum stated in Section 2. All other employees in these operations, except executives, supervisors and their immediate staffs, and pumpers on "stripper" wells and employees on isolated properties, shall work not more than 40 hours in any one week nor more than 72 hours in any two weeks nor more than 16 hours in any two days. Definition of "stripper wells" shall be made in various fields and areas by the Regional Committee, subject to the revision and approval of the Planning and Coordination Committee.

ARTICLE II, Section 1, in the table of Minimum Rates Per Hour, is amended by inserting an asterisk before Oklahoma in the WEST SOUTH CENTRAL division.

ARTICLE II, Section 2, is amended to read as follows:

Section 2. In market operations all employees (other than those employed in filling or service stations, garages or other institutions which sell petroleum products as enumerated in Rule 2 of Article V of this Code to the public), including clerical, but excluding executives, supervisors and their immediate staffs, and outside salesmen shall work not more than 40 hours per week.

ARTICLE II, Section 2, in the table of Minimum Rates Per Hour, is amended by inserting an asterisk before the following states:

In SOUTH ATLANTIC division:

Virginia;

In EAST SOUTH CENTRAL division:

Kentucky and Tennessee;

in WEST SOUTH CENTRAL division:

Oklahoma.

ARTICLE II, Section 3, is amended to read as follows:

Section 3. No filling or service station employee, nor any employee of any garage or other institution selling petroleum products, as enumerated in Rule 2 of Article V of this Code, to the public shall work more than 48 hours per week. Nor shall any such employee receive less than \$15.00 per week in any city of over 500,000 population or in the immediate trade area of such city; nor less than \$14.50 per week in any city between 250,000 and 500,000 population, or in the immediate trade area of such city; nor less than \$14.00 per week in any city of between 2,500 and 250,000 population, or in the immediate trade area of such city; and in towns of less than 2,500 population or in the immediate trade area of such towns not less than \$12.00 per week, and provided further that no employee shall receive a smaller weekly wage for the shorter work week than was his weekly wage on July 20, 1933.

ARTICLE II, Section 4 is stricken out and the following inserted in lieu thereof:

"There shall be an equitable adjustment of the differentials between the rates for skilled jobs and minimums established in this Code for common labor as determined by the Regional Committees from time to time in each area subject to the revision and approval of the Planning and Coordination Committee," and subject to final determination of the President.

ARTICLE III, Section 3, is amended to read as follows:

Section 3. Required production of crude oil to balance consumer demand for petroleum products shall be estimated at intervals by a Federal Agency designated by the President. In estimating such required production, due account shall be taken of probable withdrawals from storage and of anticipated imports. The required production shall be equitably allocated among the several States by the Federal Agency. The estimates of required production and the allocations among the States shall be submitted to the President for approval, and, when approved by him, shall be deemed to be the net reasonable market demand, and may be so certified by the Federal Agency. The allocations when approved by the President shall be recommended as the operating schedule for the producing States and for the industry and thereupon Section 4 of this Article shall apply. In any States where oil is produced on account of back allowables, total current allowables shall be reduced accordingly.

ARTICLE III, Section 4, is amended to read as follows:

Section 4. The subdivision into pool and/or lease and/or well quotas of the production allocated to each State is to be made within the State. Should quotas allocated in conformity with the provisions of this Section and/or Section 3 of ARTICLE III of this Code not be made within the State or if the production of petroleum within any State exceeds the quota allocated to said State, the President may

regulate the shipment of petroleum or petroleum products in or affecting interstate commerce out of said State to the extent necessary to effectuate the purposes of the National Industrial Recovery Act and/or he may compile such quotas and recommend them to the State Regulatory Body in such State, in which event it is hereby agreed that such quotas shall become operating schedules for that State.

Article III, Section 6(a) is amended to read as follows:

Section 6(a). For a test period of not to exceed 90 days pending the determination of the cost of crude petroleum and/or the products thereof, as hereinafter provided, the President may establish price schedules for petroleum and such products thereof as he may designate and for any or all modes of delivery thereof; it shall be an act of unfair competition to sell or otherwise dispose of or to buy or otherwise acquire petroleum or the products thereof at a lower price than the applicable price established by the President for the test period. Thereafter, in order to prevent the premature abandonment of wells of settled production, the growth of monopoly, the obstruction of interstate commerce, and otherwise to effectuate the purposes of the National Industrial Recovery Act, it shall be an act of unfair competition to sell or otherwise dispose of or to buy or otherwise acquire petroleum at a price below the recovery costs of such petroleum as determined by the Federal Agency and approved by the President. In determining such recovery costs, the Federal Agency shall ascertain the average cost

of production of crude petroleum and shall determine the fair economic limit of the cost of production in stripper well areas which must be met to prevent premature abandonment of such stripper wells as may be found to be economically practicable of operation. And in order to carry out the purposes of this provision, the Federal Agency shall also determine the average costs of economically refining, transporting, and distributing petroleum and any of its products for different areas and for different methods of marketing, and it shall be an act of unfair competition to sell or otherwise dispose of, or to buy or otherwise acquire, petroleum or the products thereof below the total costs as found by the Federal Agency and approved by the President. Prices for crude petroleum established hereunder for different localities and different grades shall bear such relations as may be fair and equitable. And in order to effectuate the purposes of section 3-A of the National Industrial Recovery Act, the President may prescribe maximum prices for petroleum or any of the products thereof.

Article III, Section 7, is amended to read as follows:

Section 7. Wild-cattling shall not be prohibited because the future maintenance of the petroleum supply depends on new discoveries and new pools, but the shipment of petroleum or the products thereof in or affecting interstate commerce which was produced in a new field or pool which is not developed in accordance with a plan approved by the President is unfair competition and in violation of this Code. For

the purposes of this Code a new field or pool is one discovered after January 1, 1933, and/or in which not more than ten producing wells have been completed as of the effective date of this Code.

Article V, Rule 2, is amended to read as follows:

Rule 2. Whenever any merchant or vendor of any and all types of merchandise offers for sale at wholesale or retail motor fuels, motor lubricants, motor gasoline, heating oils or naphtha of a petroleum nature he shall, in so far as his business pertains to those products, be bound by the regulations of this Code.

Article V, Rule 7, is amended to read as follows:

The equipment of the kind, type or description hereinbefore mentioned, furnished, loaned or leased before September 2, 1933, by any refiner, distributor, jobber or wholesaler to or installed with any retailer or consumer shall, at the expiration of any contractual relation, and on the request of such retailer or consumer, be sold by such refiner, distributor, jobber or wholesaler to such retailer or consumer, or, in the absence of a sale to such retailer or consumer as herein provided, shall be sold by the refiner, distributor, jobber or wholesaler, who has made the loan, to any other refiner, distributor, jobber or wholesaler who is about to begin supplying petroleum products to such retailer or consumer, on the request of such other refiner, distributor, jobber or wholesaler, at the original invoice price, plus actual cost of installation, less a depreciation of 15% per annum, but

in no event at a price lower than that fixed in the schedule hereto attached, marked Appendix "A". In the event of a purchase as herein provided by such other refiner, distributor, jobber or wholesaler, such equipment may be loaned, leased or licensed to the retailer or consumer at such location by any new supplier subsequently acquiring title thereto.

This rule does not apply to the sale of equipment by the manufacturer thereof where such sale is not conditioned upon the purchase of use of petroleum products.

Article V, Rule 31, is amended by adding thereto the following:

The rules contained in this article shall not apply to the sale and distribution of propane, butane and other liquefied petroleum gases.

Article VII, Section 4, is amended to read as follows:

Section 4. The Planning and Coordination Committee shall elect a Chairman and Vice Chairman from its own membership. It is also empowered to elect a Secretary and a Treasurer which offices may be held by one person and which officers may not be members of the Committee. It shall also select the following subcommittees:

- (a) Statistical Committee
- (b) Production Committee
- (c) Refinery Committee
- (d) Marketing Committee
- (e) Accounting Committee
- (f) Labor Committee
- (g) Adjustment and Interpretation Committee
- (h) Transportation Committee
- (i) Finance Committee

Article VII is amended by adding a new Section 7 as follows:

Section 7. The Planning and Coordination Committee shall divide the country into such number of regional districts as it shall determine and appoint such subcommittees as in its judgment may be necessary to carry out the intent and purposes of this Code, the members of such subcommittees to serve during the pleasure of the Planning and Coordination Committee. The Chairman and Vice Chairmen of the regional subcommittees shall be appointed by the Planning and Coordination Committee subject to confirmation by the President.

Article VII is amended by adding a new Section 8 as follows:

Section 8. The Planning and Coordination Committee shall have authority to provide such offices and employ such assistants and clerical help and purchase such supplies, and shall provide for raising such funds from the industry, as may be necessary to finance its activities and effectuate the purposes of this Code.

APPENDIX B, CREDIT TERMS, Section (1), Gasoline and Kerosene Sales, third paragraph, is amended as follows:

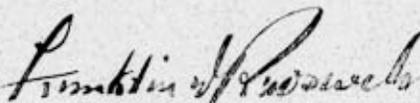
Service station deliveries Cash or coupons or payments
net 15th proximo.

APPENDIX B, CREDIT TERMS, Section (3) Lubricating Oil and Grease Sales, final paragraph, is amended as follows:

Service station deliveries Cash or coupons or payments
net 15th proximo.

The White House,
September, 13 1933.

Approved:



6284-A

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR CLASSIFICATION

CALIFORNIA

By virtue of the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), it is hereby ordered that the following-described surveyed public lands in the State of California be, and the same are hereby, temporarily withdrawn for classification and pending determination as to the advisability of including such lands in a national monument, subject to the conditions of the aforesaid acts and to valid existing rights:

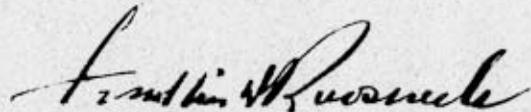
SAN BERNARDINO MERIDIAN

T. 5 S., R. 4 E., secs. 1, 16, and 36;

T. 5 S., R. 5 E., secs. 6, 18, and 30;

T. 6 S., R. 5 E., sec. 6.

This order shall continue in full force and effect unless and until revoked by the President or by an act of Congress.



THE WHITE HOUSE,

September 17, 1933.

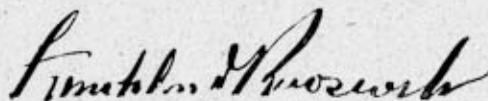
EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR RESURVEY

NEW MEXICO

By virtue of the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions, provisions, and limitations of said acts, it is hereby ordered that the public lands in T. 9 S., R. 30 E., and T. 15 S., R. 22 E. of the New Mexico principal meridian, New Mexico, be, and the same are hereby, withdrawn from settlement, location, sale, entry, and all forms of appropriation, pending a resurvey of said townships under the act of March 3, 1909 (ch. 271, 35 Stat. 845).

This order shall continue in full force and effect unless and until revoked by the President or by an act of Congress.



THE WHITE HOUSE,
September 14, 1933.

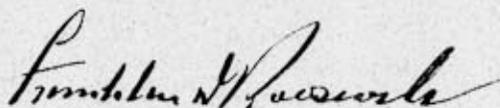
EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR RESURVEY

NEW MEXICO

By virtue of the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions, provisions, and limitations of said acts, it is hereby ordered that the public lands in Tps. 9 and 10 S., R. 8 W. of the New Mexico principal meridian, New Mexico, be, and the same are hereby, withdrawn from settlement, location, sale, entry, and all forms of appropriation, pending a resurvey of said townships under the act of March 3, 1909 (ch. 271, 35 Stat. 845).

This order shall continue in full force and effect unless and until revoked by the President or by an act of Congress.



THE WHITE HOUSE,

September 14, 1933.

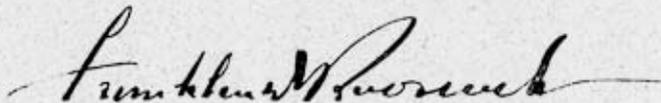
EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR RESURVEY

WYOMING

By virtue of the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions, provisions, and limitations of said acts, it is hereby ordered that the public lands in Tps. 46 and 47 N., R. 84 W. of the sixth principal meridian, Wyoming, be, and the same are hereby, withdrawn from settlement, location, sale, entry, and all forms of appropriation, pending a resurvey of said township under the act of March 3, 1909 (ch. 271, 35 Stat. 845).

This order shall continue in full force and effect unless and until revoked by the President or by an act of Congress.



THE WHITE HOUSE,

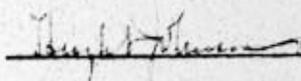
September 14 1933.

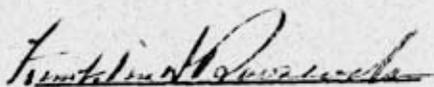
EXECUTIVE ORDER
CODE OF FAIR COMPETITION
FOR THE
FLOWER AND FEATHER INDUSTRY

An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Flower and Feather Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of the said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt and approve the report, recommendations and findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved.

Approval Recommended





The White House,
September 18, 1933.

6289

- (2) There shall be added after the first sentence of Section 4 of Article VII the following sentence:

"The President may appoint not more than three members of the Judicial Panel in addition to, and in substitution for, the members of the ~~Panel~~ the official in charge of the Division Code Authority."

- (3) Section 4 of Article VII shall be amended by the addition of the following sentence after the first sentence: "The President may, by the prior approval of the Judicial Panel, appoint not more than three members of the Judicial Panel in addition to, and in substitution for, the members of the ~~Panel~~ the official in charge of the Division Code Authority."

- (4) Section 4 of Article VII shall be amended by the addition of the following sentence after the second sentence: "The President may, by the prior approval of the Judicial Panel, appoint not more than three members of the Judicial Panel in addition to, and in substitution for, the members of the ~~Panel~~ the official in charge of the Division Code Authority."

- (5) Section 4 of Article VII shall be amended by the addition of the following sentence after the third sentence: "The President may, by the prior approval of the Judicial Panel, appoint not more than three members of the Judicial Panel in addition to, and in substitution for, the members of the ~~Panel~~ the official in charge of the Division Code Authority."

Franklin Roosevelt

18.

Hubert H. H. H.

6289-A

EXECUTIVE ORDER

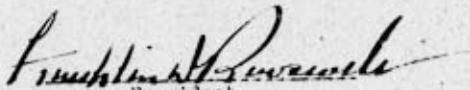
CODE OF FAIR COMPETITION

GASOLINE PUMP MANUFACTURING INDUSTRY

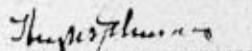
An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Gasoline Pump Manufacturing Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt and approve the report, recommendations and findings of the Administrator and do order that the said Code of Fair Competition be and is hereby approved, subject to the following conditions:

- (1) To effectuate further the policies of the Act, a Gasoline Pump Manufacturing Industry Committee be created to cooperate with the Administrator as a Planning and Fair Practice Agency for the Gasoline Pump Manufacturing Industry, which Committee shall consist of five representatives of the Gasoline Pump Manufacturing Industry elected by a fair method of selection, to be approved by the Administrator, and three members without vote appointed by the Administrator.

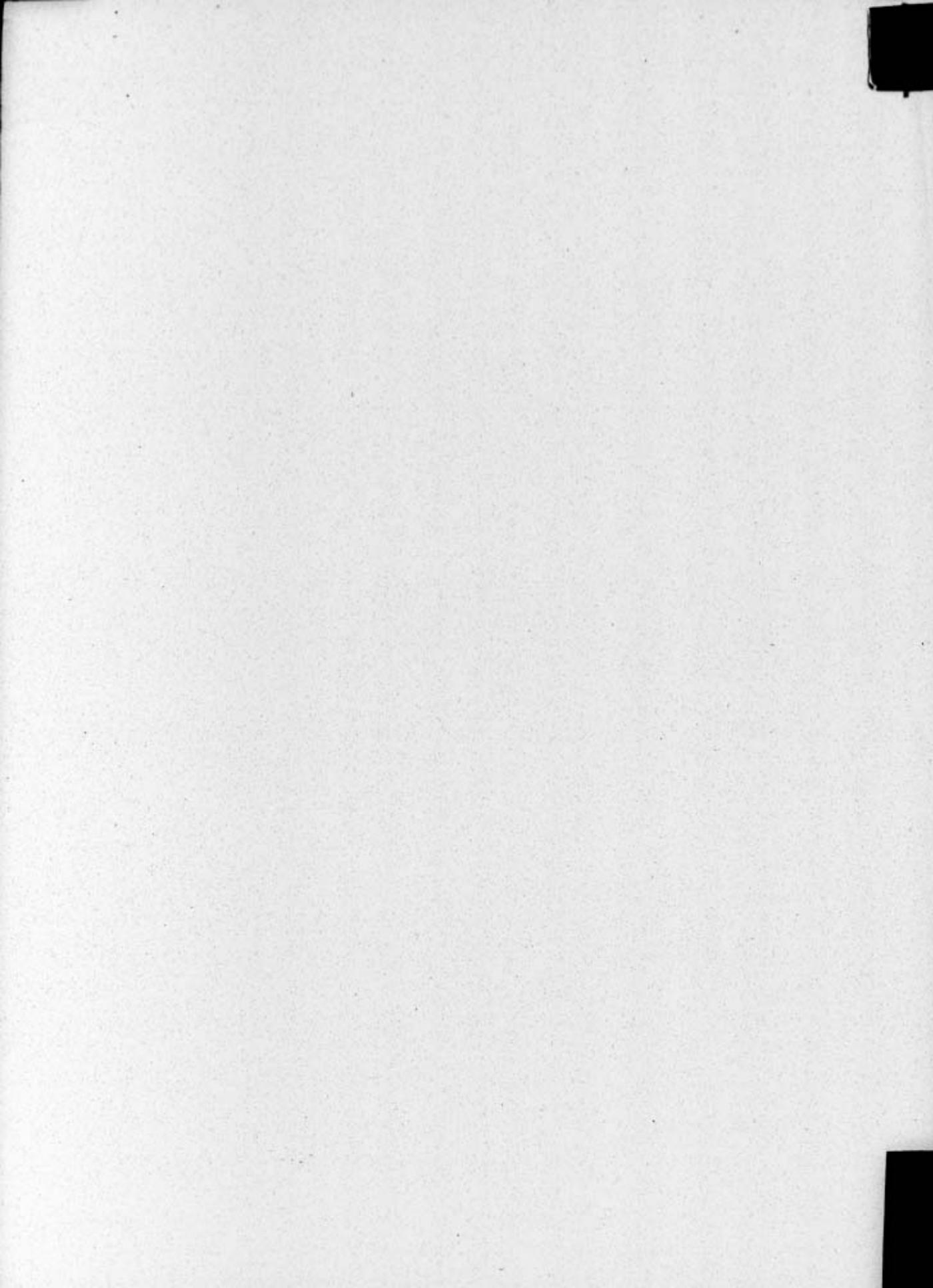

President.

Approval Recommended:


Administrator.

The White House,
September 19, 1933.

6290

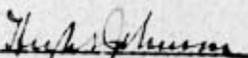


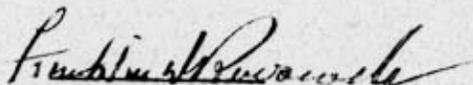
EXECUTIVE ORDER
CODE OF FAIR COMPETITION
LINOLEUM AND FELT BASE MANUFACTURING INDUSTRY

An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Linoleum and Felt Base Manufacturing Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt and approve the report, recommendations and findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved.

Approval Recommended:


Administrator



The White House
September 15 1933

6291

EXECUTIVE ORDER
CODE OF FAIR COMPETITION
OIL BURNER INDUSTRY

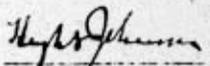
An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Oil Burner Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt and approve the report, recommendations and findings of the Administrator and do order that the said Code of Fair Competition be and is hereby approved, subject to the following condition:

- (1) To effectuate further the policies of the Act, a Code Authority be created to cooperate with the Administrator as a Planning and Fair Practice Agency for the Oil Burner Industry, which Code Authority shall consist of nine representatives, of the Oil Burner Industry elected by a fair method of selection, to be approved by the Administrator, and three members without vote appointed by the Administrator.

Approval Recommended:


President.



Administrator.

The White House,
September 18, 1933.

6292

DEPARTMENT OF STATE

OFFICE OF THE HISTORICAL ADVISER

9/23/33

E.O. 6292:

When received, lines 3 and 4, paragraph 2 read "June 18, 1933," which was changed to "June 16, 1933" as authorized by Mr. Hess of the White House.

EXECUTIVE ORDER

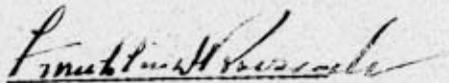
CODE OF FAIR COMPETITION

FOR

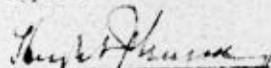
THE TEXTILE BAG INDUSTRY

An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Textile Bag Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met:

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt and approve the report, recommendations and findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved.



Approval Recommended:


Administrator

The White House
September 13, 1933

DEPARTMENT OF STATE

OFFICE OF THE HISTORICAL ADVISER

9/23/33

E.O. 6293:

When received, line 16, 1st paragraph, read "and (a)" etc., which was changed to "and (2)" etc. Line 5 of 2d paragraph read "July 16, 1933" which was changed to "June 16, 1933". Changes authorized by Mr. Hess of White House.

EXECUTIVE ORDER

Code of Fair Competition
for the
TRANSIT INDUSTRY

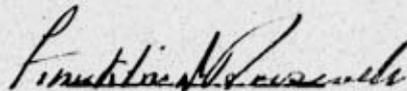
An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Transit Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of Subsection (a) of Section 3 of the said Act have been met.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt the findings and approve the report and recommendations of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved, subject to the following conditions:

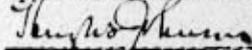
(1) In approving the Code of Fair Competition for the Transit Industry, it is to be understood that paragraph 2 of Article VII, refers to all labor agreements arrived at by collective bargaining; and that as to the language of this paragraph, the approval shall be construed to mean that existing labor contracts between members of the industry and employees may be continued in effect to their various expiration dates, unless modified by mutual agreement, but are not incorporated as a part of the Code. Where the provisions of any such expiring contracts include extensions or renewals thereof by

arbitration or otherwise, such provisions may have the same force and effect as other provisions of such contracts, but in the process of extension or renewal of any such contracts, as provided by their terms and conditions, no working hours shall be set up which are in excess of the maximum allowed in this Code, and the minimum wage provisions shall not be less than those provided in this Code.

(2) The American Transit Association shall as soon as possible after the effective date of this Code amend its Constitution and By-laws wherever it may be necessary so that in the judgment of the Administrator there will be no inequitable restrictions imposed on membership in the Association.



Approval Recommended:



Administrator

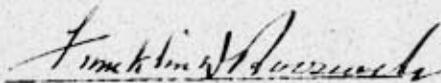
The White House,
September 15, 1933

EXECUTIVE ORDER
CODE OF FAIR COMPETITION
FOR
THE UNDERWEAR AND
ALLIED PRODUCTS MANUFACTURING INDUSTRY

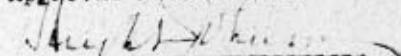
An application having been duly made, pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for my approval of a Code of Fair Competition for the Underwear and Allied Products Manufacturing Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Code of Fair Competition together with his recommendations and findings with respect thereto, and the Administrator having found that the said Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that the requirements of clauses (1) and (2) of subsection (a) of Section 3 of the said Act have been met.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, do adopt and approve the report, recommendations, and findings of the Administrator and do order that the said Code of Fair Competition be and it is hereby approved, subject to the following condition:

(1) That all manufacturers included within the provisions of Part I, Section 1 (c) of the Code be granted a stay of fourteen (14) days after the effective date thereof, during which period they may show cause to the Administrator why they should not be included under the provisions of such Section.



Approval Recommended:


Administrator.

The White House,
September 15, 1933.

6295

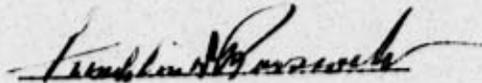
In the Matter of the Application)
of Gem-Dandy Garter Company)
for certain exemptions from) Executive Order
the Corset and Brassiere Code)

A Code of Fair Competition for the Corset and Brassiere Industry has been heretofore approved by me on certain terms and conditions. After such approval, and in accordance with the provisions of my further Executive Order dated July 15, 1933, hearings have been granted by the Administrator to the named applicants, allegedly directly affected by said Code, who have claimed that applications thereof have been unjust to them and have applied for a wage differential for members of the Industry located in the Southern Section of the United States.

It appearing to me on the basis of the showing made at the hearings granted the applicants above mentioned as set forth in the report thereon, dated September 12, 1933, rendered to me by the Administrator, which is hereby adopted and approved, that no case of injustice and extreme hardship requiring special treatment has been made out by the above applicants:

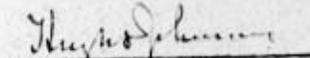
Now Therefore, I, Franklin D. Roosevelt, President of the

United States, pursuant to the authority and discretion vested in me under Title I of the National Industrial Recovery Act, approved June 16, 1933, and otherwise, and in accordance with the provisions of my Executive Order dated July 15, 1933, providing for hearings on the application of Codes under certain circumstances, do order that the application for exemption by the above named applicants, be and it is hereby denied.


Franklin D. Roosevelt

THE WHITE HOUSE,
September 18, 1933.

Recommended for Approval by


Henry D. Sawyer
Administrator



Mr. Cramer

DEPARTMENT OF STATE

WASHINGTON
SECRETARY OF STATE
FEB 15 1935
NOTED

February 13, 1935
DISTRICT ADVISER
FEB 13 1935
DEPT. OF STATE

*CH RP
UK
HR*

In reply refer to
HA

Dear Mr. Howe:

I refer to your letter to me of September 22, 1933, regarding Executive order No. 6296-A of September 22, 1933. A copy of that Executive order is enclosed.

The Department has regarded this order as confidential in view of the fact that there is no way of telling whether the individuals who request copies are Government contractors. However, the existence of this order and its terms are quite generally known.

I am informed that mimeographed copies of this order have been freely distributed by another Department to those who have applied therefor; such

mimeographed

The Honorable

Louis McH. Howe,

Secretary to the President,

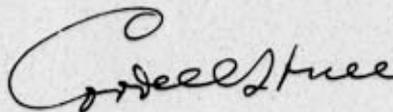
Washington, D. C.

P

mimeographed copies have been exhibited to officials of this Department by applicants for printed copies.

Because of these facts the Department is embarrassed in responding to requests for the text of the order. Accordingly, I suggest that any injunction of secrecy regarding the order in question be removed.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Cordell Hull". The signature is written in dark ink and is positioned to the right of the typed name "Cordell Hull".

Enclosure:

Copy of Executive
order No. 6296-A of
September 22, 1933.
Copy of letter of
September 22, 1933.

COPY

THE WHITE HOUSE
WASHINGTON

September 22, 1933.

My dear Mr. Secretary:

Enclosed is the Executive Order and a memorandum together with a copy of the letter from the Comptroller General giving his original views.

It seems best not to call attention by any publicity to this Executive Order as it will bring down a flood of claims, so please keep this to show your contractors so that they will know what to expect from the Government, but not to be given out for publication.

It is hoped that Congress will take some action in regard to worthy cases that can not be given consideration under this order.

Very sincerely yours,

LOUIS McH. HOWE
Secretary to the President

The Honorable,
The Secretary of State,
Washington, D. C.

Enclosures.

COPY: EM

Executive Order

GOVERNMENT CONTRACTS

WHEREAS Title I of the National Industrial Recovery Act, approved June 16, 1933, Public No. 67, provides for the adoption of codes of fair competition and agreements regulating wages and hours of employment, and

WHEREAS the financial condition of certain contractors may be such that the increased costs resulting directly from compliance with such codes and/or agreements with respect to contracts entered into between such contractors and the United States before adoption of such codes and/or agreements will make it impossible for such contractors to complete said contracts without receiving payments in excess of the progress payments authorized by law under such contracts, or in excess of the amounts due for accepted deliveries and

WHEREAS the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933, Public No. 77, provides an appropriation for carrying into effect the provisions of the said National Industrial Recovery Act, said appropriation "to be expended in the discretion and under the direction of the President,"—

NOW, THEREFORE, by virtue of the authority vested in me by the statutes aforesaid and in order to promote the purposes thereof, the sum of \$100,000 is hereby allocated from the appropriation for national industrial recovery contained in the aforesaid Fourth Deficiency Act, fiscal year 1933, and shall be transferred by the Treasury Department to the credit of the Treasurer of the United States, to be used for the purpose of making necessary payments to contractors having Government contracts negotiated prior to June 16, 1933, to enable them to complete their contracts with the United States and comply with the codes and/or employment agreements applicable thereto. The funds herein allocated shall be used only for the purpose above stated, and claims shall be paid only to contractors who have complied, or agreed to comply, with all applicable codes and employment agreements and pursuant to a certificate of settlement issued by the Comptroller General of the United States after there has been presented to him an administrative finding of fact, approved by the Director of the Bureau of the Budget, establishing that the payment is necessary to enable the contractor to complete the contract and that the contractor's

inability otherwise to complete was caused by the operation of some code and/or agreement applicable thereto and adopted pursuant to the National Industrial Recovery Act after the contract was negotiated.

The purpose of this order is to give relief in those cases only in which the contractor on account of increased cost resulting from the operation of codes or employment agreements approved under the National Industrial Recovery Act is not otherwise able to complete the contract, there being left for the consideration of the Congress the question as to whether and, if so, to what extent, relief shall be given to other Government contractors on account of increased cost of performance under contracts negotiated prior to the approval of codes or employment agreements which may be applicable thereto.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
September 22, 1933.

[No. 6296-A]

EXECUTIVE ORDER

GOVERNMENT CONTRACTS

WHEREAS Title I of the National Industrial Recovery Act, approved June 16, 1933, Public No. 67, provides for the adoption of codes of fair competition and agreements regulating wages and hours of employment, and

WHEREAS the financial condition of certain contractors may be such that the increased costs resulting directly from compliance with such codes and/or agreements with respect to contracts entered into between such contractors and the United States before adoption of such codes and/or agreements will make it impossible for such contractors to complete said contracts without receiving payments in excess of the progress payments authorized by law under such contracts, or in excess of the amounts due for accepted deliveries and

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NOW, THEREFORE, by virtue of the authority vested in me by the statutes aforesaid and in order to promote the purposes thereof, the sum of \$100,000 is hereby allocated from the appropriation for national industrial recovery contained in the aforesaid Fourth Deficiency Act, fiscal year 1933, and shall be transferred by the Treasury Department to the credit of the Treasurer of the United States, to be used for the purpose of making necessary payments to contractors having Government contracts

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The purpose of this order is to give relief in those cases only in which the contractor on account of increased cost resulting from the operation of codes or employment agreements approved under the National Industrial Recovery Act is not otherwise able to complete the contract, there being left for the consideration of the Congress the question as to whether and, if so, to what extent, relief shall be given to other Government contractors on account of increased cost of performance under contracts negotiated prior to the approval of codes or employment agreements which may be applicable thereto.

THE WHITE HOUSE,

September 22, 1933.



EXECUTIVE ORDER

MODIFICATION OF RESERVOIR-SITE RESERVE NO. 17

PACIFIC SLOPE BASINS, CALIFORNIA

The Executive order of June 8, 1926, creating reservoir-site reserve no. 17, as modified by the Executive order of August 12, 1931, is hereby modified to the extent of authorizing the Federal Power Commission to issue an amendment of license for project no. 966 to permit the relocation of two sections of a transmission line on the following-described lands on condition that whenever the lands are required for reservoir purposes the licensee agrees at its own expense to remove its project works from said lands or from such portions thereof as may be required for reservoir purposes within 30 days after the receipt of notice from the Secretary of the Interior.

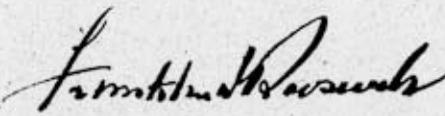
SAN BERNARDINO MERIDIAN

CALIFORNIA

- T. 1 N., R. 9 W., sec. 6, lot 2, SW 1/4 NE 1/4,
N 1/2 SE 1/4, E 1/2
SW 1/4 SE 1/4, SE 1/4
SE 1/4.
- T. 2 N., R. 9 W., sec. 29, SE 1/4 SW 1/4;
sec. 31, SE 1/4 NE 1/4, N 1/2
SE 1/4, SW 1/4 SE 1/4;
sec. 32, W 1/2 NW 1/4.
- T. 1 N., R. 10 W., sec. 12, lots 2 and 3, N 1/2
SE 1/4.

THE WHITE HOUSE,

September 25, 1933.



EXECUTIVE ORDER

Appointment of Hugh S. Johnson to serve temporarily as a member
of each Code Authority

In accordance with the provisions of the Code of
Fair Competition for the Bituminous Coal Industry heretofore
approved, I hereby appoint the Administrator, Hugh S. Johnson,
to serve temporarily as a member (without vote) of each Code
Authority created as provided in Article VI, Section 2 of said
Code, with the power in said Administrator to designate an agent
with full authority to act in his behalf as a member (without
vote) of any Divisional or Sub-Divisional Code Authority thus
created, reserving to myself the power to appoint directly, in
substitution for the temporary appointment of the Administrator,
a member of any such Divisional or Sub-Divisional Code Authority.

William H. Roscoe

Sept. 29 1933

6298

EXECUTIVE ORDER

Revised Code of Fair Competition
for the Bituminous Coal Industry.

A Code of Fair Competition for the Bituminous Coal Industry was approved by an Executive Order dated September 18, 1933, subject to certain conditions including a condition that basic minimum rates not fixed in Schedule "A", as attached to the Code, might be approved or prescribed by the President at any time prior to the effective date of the Code, which provision was also incorporated in the Code in said Schedule "A". Following said Executive Order of September 18th further consideration has been given to said basic minimum rates and said Schedule "A" has been revised so as to include additional rates, either agreed upon and submitted for approval, or recommended as those which should be prescribed by the President.

The association and groups of coal producers and individual coal producers submitting said Code for the approval of the President, also authorized the Administrator to make such minor changes as might be desirable to improve its language without substantially altering the substance thereof.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the National Recovery Act, approved June 16, 1933, and otherwise, and upon the recommendation of the Administrator do order that -

- (1) Schedule "A", as revised and attached to this order, is hereby approved as the schedule of basic minimum rates approved or prescribed by the President and incorporated in the Code of Fair Competition for the Bituminous Coal Industry, as provided in Article IV of said Code.
- (2) In order to correct a typographical error in the Code and in the Executive Order of September 18th in the two places where the phrase "six members of the Divisional Code Authorities" occurs in Article VII, Section 4, this shall be corrected to read "five members of the Divisional Code Authorities".

- (3) In order to provide for the impartial decision of any controversy submitted to the National Bituminous Coal Labor Board there is hereby imposed, as a condition upon the functioning of said Board, that only the impartial and disinterested representatives of the President appointed to the Divisional Labor Boards shall participate in the decisions of the National Bituminous Coal Labor Board, the other members thereof acting only in an advisory capacity.
- (4) Subject to the conditions of the Executive Order of September 18, 1933, and the modification thereof and other provisions of this order, the Code of Fair Competition for the Bituminous Coal Industry is hereby approved.

Franklin D. Roosevelt

September 29, 1933.

APPROVAL RECOMMENDED

Hayden C. Hoover
Administrator.

6299

SCHEDULE A
BASIC MINIMUM RATES

DISTRICT	Minimum Inside Skilled Labor		Minimum Outside Common Labor	
	Dollars Per Day	Cents Per Hour	Dollars Per Day	Cents Per Hour
<u>District A</u>				
Pennsylvania	4.60	57½	3.60	45
Ohio	4.60	57½	3.60	45
Lower Peninsula of Michigan	4.60	57½	3.60	45
Panhandle District of West Virginia 1/	4.60	57½	3.60	45
<u>District B</u>				
Northern West Virginia 2/	4.36	54½	3.36	42
<u>District C</u>				
Southern West Va. 3/	4.20	52½	3.20	40
Eastern Kentucky 4/	4.20	52½	3.20	40
Upper Potomac District of West Virginia 5/	4.20	52½	3.20	40
Maryland	4.20	52½	3.20	40
Virginia	4.20	52½	3.20	40
Northern Tennessee 6/	4.20	52½	3.20	40
<u>District D</u>				
Indiana	4.57½	57 1/5	4.20	52½
<u>District E</u>				
Illinois	5.00	62½	4.00	50
<u>District F</u>				
Iowa Wayne & Appanoose) Counties of Iowa)	4.70 4.56	58¾ 57	4.00 3.86	50 48¾

SCHEDULE A

DISTRICT	Minimum Inside Skilled Labor		Minimum Outside Common Labor	
	Dollars Per Day	Cents Per Hour	Dollars Per Day	Cents Per Hour
<u>District G</u>				
Missouri, Kansas, Arkansas and Oklahoma	3.75	46 7/8	3.28	41
<u>District H</u>				
Western Kentucky	8/ 4.00	50	3.00	37 1/2
<u>District J</u>				
Alabama	3.40	42 1/2	2.40	30
Georgia	3.40	42 1/2	2.40	30
Hamilton and Rhea Counties of Tennessee	3.40	42 1/2	2.40	30
District J-1				
Marion, Grundy, Sequatchie, White, Van Buren, Warren and Bledsoe Counties of Tennessee	3.84	48	2.84	35 1/2
<u>District K</u>				
New Mexico	4.48	56	3.75	46 7/8
Southern Colorado	9/ 4.44	55 1/2	3.75	46 7/8
<u>District L</u>				
Northern Colorado	10/ 5.00	62 1/2	3.75	46 7/8
<u>District M</u>				
Utah	5.44	68	4.48	56

SCHEDULE A

DISTRICT	Minimum Inside Skilled Labor		Minimum Outside Common Labor	
	Dollars Per Day	Cents Per Hour	Dollars Per Day	Cents Per Hour
<u>District N</u>				
Southern Wyoming	5.42	67 $\frac{3}{4}$	4.44	55 $\frac{1}{2}$
Northern Wyoming	5.42	67 $\frac{3}{4}$	4.54	56 $\frac{1}{2}$
<u>District O</u>				
Montana	5.63	70 $\frac{3}{8}$	4.82	60 $\frac{1}{2}$
<u>District P</u>				
Washington	5.40	67 $\frac{1}{2}$	4.00	50
<u>District Q</u>				
North Dakota	4.00	50	3.20	40
South Dakota	4.00	50	3.20	40

- 1/ Includes Hancock, Brooke, Ohio and Marshall Counties.
- 2/ Includes Monongalia, Preston, Marion, Harrison, Taylor, Lewis, Barbour, Gilmer, Upshur, Randolph, Braxton and Webster Counties and those mines in Nicholas County served by the B. & O. R. R.
- 3/ Includes all mines in counties of West Virginia not named under districts A and ^{B&O} under the Upper Potomac District.
- 4/ Includes all mines in Kentucky located east of a north and south line drawn along the Western boundary of the City of Louisville.
- 5/ Includes Grant, Mineral and Tucker Counties.
- 6/ Includes all counties in Tennessee not named Districts J and J-1.
- 7/ Excludes Wayne and Appanoose Counties.
- 8/ Includes all mines in Kentucky west of a north and south line drawn along the western boundary of the City of Louisville.

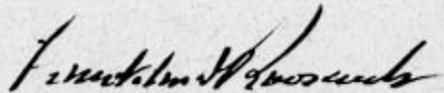
- 9/ Includes all counties in Colorado not named under District L.
- 10/ Includes Jackson, Larimer, Weld, Boulder, Adams, Arapahoe, El Paso, Douglas, Elbert and Jefferson Counties.

Note: Differences between districts in the foregoing minimum rates are not to be considered as fixing permanent wage differentials or establishing precedents for future wage scales.

EXECUTIVE ORDER

CHINCOTEAGUE, VIRGINIA, ABOLISHED AS A CUSTOMS PORT
OF ENTRY

By virtue of the authority vested in me by section 1 of the act of August 1, 1914 (ch. 223, 38 Stat. 609, 623; 19 U.S.C., sec. 2), Chincoteague, Virginia, is hereby abolished as a customs port of entry in Customs Collection District No. 14 (Virginia), with headquarters at Norfolk, Virginia, effective as of 30 days from the date of this order.



THE WHITE HOUSE,
September 26, 1933.