EXECUTIVE ORDER

EXEMPTION OF C. FRANK WITTENAUER FROM COMPULSORY RETIREMENT FOR AGE

Whereas section 204 of the act of June 30, 1932 (ch. 314, 47 Stat. 382, 404; 5 USC., sec. 692b), provides:

"On and after July 1, 1932, no person rendering civilian service in any branch or service of the United States Government or the municipal government of the District of Columbia who shall have reached the retirement age prescribed for automatic separation from the service, applicable to such person, shall be continued in such service, notwithstanding any provision of law or regulation to the contrary: Provided, That the President may, by Executive Order, exempt from the provisions of this section any person when, in his judgment, the public interest so requires:"

And whereas the public interest requires that C. Frank Wittenauer, picture engraver in the Bureau of Engraving and Printing, who, during the current month, will reach the retirement age prescribed for automatic separation from the service, be exempted from the provisions of this section and continued in the service until August 31, 1934;

NOW, THEREFORE, by virtue of the authority vested in me by the aforesaid statute, I do hereby exempt C. Frank Wittenauer from the provisions thereof and continue him in the service until August 31, 1934.

THE WHITE HOUSE, Franklin D. Roosevelt

February 21, 1934.

6610

EXECUTIVE ORDER

EXEMPTION OF JOHN BACH FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS section 204 of the act of June 30, 1932 (ch. 314, 47 Stat. 382, 404; 5 U.S.C., sec. 692b), provides:

"On and after July 1, 1933, no person rendering civilian service in any branch or service of the United States Government or the municipal government of the District of Columbia who shall have reached the retirement age prescribed for automatic separation from the service, applicable to such person, shall be continued in such service, notwithstanding any provision of law or regulation to the contrary: Provided, That the President may, by Executive Order, exempt from the provisions of this section any person when, in his judgment, the public interest so requires:"

AND WHEREAS the public interest requires that John Bach, Chief, Drafting Division, Coast and Geodetic Survey, Department of Commerce, Manila, Philippine Islands, who, during the current month, will reach the retirement age prescribed for automatic separation from the service, be exempted from the provisions of this section and continued in the service until February 28, 1935;

NOW, THEREFORE, by virtue of the authority vested in me by the aforesaid statute, I do hereby exempt John Bach from the provisions thereof and continue him in the service until February 28, 1935.

THE WHITE HOUSE,

February 21, 1934.

Franklin D. Roosevelt

6609

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 3761 RELATING TO INTEREST ON DEPOSIT MONEY ORDERS

Executive Order No. 3761 of December 6, 1922, relating to interest on deposit money orders issued in the Canal Zone, is hereby amended to read as follows:

By virtue of and pursuant to authority vested in me by section 2 of the act of February 16, 1933 (ch. 89, 47 Stat. 812), the following regulations are hereby prescribed:

1. Deposit money orders issued by the Canal Zone Postal Service on or after April 1, 1934, shall bear interest at the rate of five eighths of 1 per centum for each period of 3 full calendar months from date of issue. Interest shall be payable when the order is paid but shall not accrue for more than 3 years.

2. Deposit money orders issued by the Canal Zone Postal Service prior to April 1, 1934, shall bear interest at the rate of three fourths of 1 per centum from date of issue for any period or periods of 3 full calendar months ending between April 1, 1934, and June 30, 1934, inclusive. For subsequent periods the rate of interest shall be the same as that provided in the preceding paragraph of this order.

3. On all deposit money orders interest shall be payable when the orders are paid but shall not accrue for more than 3 years.

4. The Governor of The Panama Canal is hereby authorized to prescribe such detailed rules and regulations as may be necessary to carry out this order.

Franklin D. Roosevelt

THE WHITE HOUSE,

February 20, 1934.

6608

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LAND FOR FOREST FIRE LOOKOUT SITE

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), and subject to the conditions therein expressed and to valid existing rights, it is ordered that the following-described public land in California be, and it is hereby, temporarily withdrawn from settlement, location, sale, or entry for use by the Department of Agriculture as a fire-lookout site in connection with the administration of the Trinity National Forest:

Mount Diablo Meridian

T. 33 N., R. 7 W., sec. 12, NE¼.

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

Franklin D. Roosevelt

THE WHITE HOUSE,

February 10, 1934.

6607

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR THE

DAILY NEWSPAPER PUBLISHING BUSINESS

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 Daily Newspaper Publishing Business, 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 hereby 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 conditions:

(1) The determination of hours and wages for news department workers shall be made not later than 60 days hence.

(2) The government members of the Code Authority shall give particular attention to the provisions authorizing minors to deliver and sell newspapers and shall report to the President not later than 60 days hence.

(3) Insofar as Article VII is not required by the Act, it is pure surplusage. While it has no meaning it is permitted to stand merely because it has been requested and because it could have no

such legal effect as would bar its inclusion. Of course, a man does not consent to what he does not consent to. But if the President should find it necessary to modify this Code, the circumstance that the modification was not consented to would not affect whatever obligations the non-consentor would have under Section 3 (d) of the National Industrial Recovery Act.

Of course, also, nobody waives any constitutional rights by assenting to a Code. The recitation of the freedom of the press clause in the Code has no more place here than would the recitation of the whole Constitution or of the Ten Commandments. The freedom guaranteed by the Constitution is freedom of expression and that will be scrupulously respected - but it is not freedom to work children, or do business in a fire trap or violate the laws against

obscenity, libel and lewdness.

Franklin D. Roosevelt

The White House,
~~December , 1933.~~
Feb. 17 1934

Approval Recommended:

Hugh S. Johnson
Administrator

6006-G

THE WHITE HOUSE
WASHINGTON

February 17, 1934.

General Hugh S. Johnson,
National Recovery Administrator,
National Recovery Administration,
Washington, D. C.

My dear General Johnson:

In addition to the conditions in the Executive Order approving the Code of Fair Competition for the Daily Newspaper Publishing Business, I wish to make the following observations:

(a) "I am not satisfied with the Child Labor Provisions. A special report and recommendations in regard to the carrying out of the Provisions will be made to me at the end of 60 days.

(b) The publishers of newspapers having a circulation of seventy-five thousand or more in cities of seven-hundred and fifty thousand population or more are requested to install a five day, forty hour week for their staff of reporters and writers with the purpose of giving employment to additional men and women in this field. A report on this will be made at the end of sixty days."

Sincerely,

Franklin D. Roosevelt

FRANKLIN D. ROOSEVELT

EXECUTIVE ORDER

PRESCRIBING RULES AND REGULATIONS FOR THE INTERPRETATION AND APPLICATION OF CERTAIN LABOR PROVISIONS OF CODES OF FAIR COMPETITION AS THEY MAY AFFECT HANDICAPPED WORKERS

In Codes of Fair Competition which have heretofore been approved or submitted for approval and in such Codes which may hereafter be submitted and approved, question has arisen or may arise as to whether the minimum wage and maximum hour provisions preclude those handicapped by physical or mental defect, age or other infirmity from their former opportunities for obtaining employment.

Pursuant to the Authority vested in me by Title I of the National Industrial Recovery Act, upon due consideration of the facts and upon the report and recommendation of the Administrator:

I, Franklin D. Roosevelt, President of the United States, in order to carry out the purposes of Title I of the National Industrial Recovery Act, do hereby order that no provision of any Code of Fair Competition, agreement, or license, which has heretofore been or may hereafter be approved, prescribed or issued pursuant to said Title of said Act shall be so construed or applied as to violate the following rules and regulations which are hereby promulgated and prescribed, to-wit:

1. A person whose earning capacity is limited because of age, physical or mental handicap, or other infirmity, may be employed on light work at a wage below the minimum established by a Code, if the employer obtains from the state authority, designated by the United States Department of Labor, a certificate authorizing such person's employment at such wages and for such hours as shall be stated in the certificate. Such authority shall be guided by

the instructions of the United States Department of Labor in issuing certificates to such persons. Each employer shall file monthly with the Code Authority a list of all such persons employed by him, showing the wages paid to, and the maximum hours of work for such employee.

3. Any approval order of a Code of Fair Competition, agreement or license heretofore approved, prescribed or issued pursuant to Title I of the National Industrial Recovery Act, if any necessity exists therefor in order to make these regulations effective, is hereby modified so as to permit and be conditional upon the full applications and operation of these regulations.

These regulations shall become effective immediately and shall thereupon be binding upon all industries and members thereof unless, and only to such extent as, prior to that date good cause to the contrary shall be shown to the Administrator for Industrial Recovery by any affected party or parties with reference to any trade, industry, or subdivision thereof.

Franklin D. Roosevelt

Approval Recommended:

Hugh S. Johnson
Administrator

The White House

Feb. 17 1934

6606-F

EXECUTIVE ORDER

FOR THE

ELECTROTYPING AND STEREOTYPING INDUSTRY

A Code of Fair Competition for the Electrotyping and Stereotyping Industry was approved by me on December 23, 1933, subject to the following condition, inter alia:

"1. That the maximum hours of work specified in Article III of the Code and/or any other provisions of the Code relating to hours of work, shall not be construed as a minimum work day or work week;

"PROVIDED, that if at any time in any locality, employees engaged in any trade or craft, through their chosen representatives, express by written request to their employer or employers, a desire to share available work with bona fide resident competent mechanics in their particular trade or craft, the number of hours may be adjusted by mutual agreement;

"PROVIDED, further, that if local agreement

proves impossible within fifteen (15) days after such request, the question may be appealed by either party to a local board set up by mutal agreement of the parties, or to the Labor Board established in Article VIII of the Code."

An application having been duly made by the Code Authority of the Electrotyping and Stereotyping Industry, pursuant to the Code, for the following amendment of my Executive Order of December 23, 1933, the Administrator having recommended the granting of said application, the amendment to be in accordance with the following proposal:

That the first condition of my approval of the Code be deleted and that the following be substituted therefor:

"1. That the maximum hours of work specified in Article III of the Code and/or any other provisions of the Code relating to hours of work, shall not be construed as a minimum work day or work week;

"PROVIDED, that if at any time in any establishment a majority of the mechanical employees actually engaged in any trade, express by written request to their employer a desire to share available work with bona fide resident unemployed competent mechanics in their particular trade, the number of hours of work may be adjusted by mutual agreement.

"(a) If mutual agreement proves impossible within fifteen (15) days the question may be appealed by either party to a local Fact Finding Board made up of two representatives of the employer and two representatives of the employees.

"(b) The local Board as thus formed, shall endeavor to agree upon the facts with regard to the number of resident unemployed competent mechanics in the locality for the purpose of reducing the number of such unemployed mechanics so far as is possible without undue hardship to either the employer or his employees.

"(c) If a majority agreement cannot be arrived at, the four members shall choose a fifth and impartial member of the Board, who shall act as Chairman.

"(d) The Board shall proceed diligently to complete its findings of fact and make its recommendations.

"(e) Should either the employer or his employees disagree with the findings and recommendations of the local Fact Finding Board, appeal may be made to the Labor Board provided for in the Code, to which shall be added by the Administrator one disinterested member to act as Chairman and one member, a representative of labor, on nomination of the Labor Advisory Board of the National Recovery Administration, which, after notice and opportunity for the parties to be heard, shall make a finding which shall be binding upon all parties of interest.

NOW, THEREFORE, I, Franklin D. Roosevelt, President of the United States, pursuant to the authority vested in me by Title I of the Na-

tional Industrial Recovery Act, approved June 16, 1933, and otherwise, do hereby adopt and approve the recommendation of the Administrator and do order that my Executive Order approving the Code of Fair Competition for the Electrotyping and Stereotyping Industry be and it is hereby amended accordingly.

Franklin D. Roosevelt

The White House

~~January~~ Feb. 17, 1934

Approval Recommended:

Hugh S. Johnson

Administrator

The following statement shall be published with my Order amending my Executive Order approving a Code of Fair Competition for the Electrotyping and Stereotyping Industry.

I understand that there is some disagreement

in the industry on the provisions of Section 1 of my Executive Order. The terms of the aforesaid condition were strenuously contended for by certain members of the industry. They have been inserted. On the other hand these terms were opposed by the Labor Advisory Board and by certain of the groups of employees of the Electrotyping and Stereotyping Industry.

In view of the disagreement concerning the application of the condition it appears to me desirable to state here that my aforesaid condition is not to be construed or interpreted in such manner as to conflict with Section 7 (a) of the National Industrial Recovery Act. Nor shall such condition interfere with the right of the employees of any locality to express their desire to share regular work with bona fide resident unemployed competent mechanics in their particular trade or craft and to appeal to all agencies of the government to assist them in the exercise of this right.

Franklin D. Roosevelt

The White House

~~January~~ Feb 17, 1934

6606-E

1

EXECUTIVE ORDER
SUPPLEMENTARY CODE OF FAIR COMPETITION
FOR THE
GENERAL CONTRACTORS INDUSTRY
A DIVISION OF THE CONSTRUCTION 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, and pursuant to and in full compliance with the provisions of Section 5 of Article VIII of Chapter I of the Code of Fair Competition for the Construction Industry, approved January 31, 1934, for approval of Chapter II of said Code, which Chapter II is applicable to the General Contractors Division of the Construction Industry, and hearings having been held thereon, and the Administrator having rendered his report containing an analysis of said Chapter II and of said Code of Fair Competition as modified by the addition thereto of said Chapter II, together with his recommendations and findings with respect thereto, and the Administrator having found that the said Chapter II and the said Code of Fair Competition, as modified by the addition thereto of said Chapter II, comply 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 Chapter II be and it is hereby approved, and that the previous approval of said Code of Fair Competition for the Construction Industry is hereby modified to include an approval of said Code in its entirety as modified by the addition thereto of said Chapter II.

Franklin D. Roosevelt

Approval recommended:

Hugh S. Johnson
Administrator.

The White House,
February 17, 1934.

6606-D

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR

THE ADVERTISING DISTRIBUTING TRADE

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 Advertising Distributing Trade, 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 conditions:

1. That for a period of 90 days from the effective date of this Code boys of the ages of 14 and 15 may be employed for a period not to exceed three hours per day. All such work hours shall be between 7 a.m. and 7 p.m. and shall not conflict with the employees' hours of day school.

2. Application of the definition of "working hours" in Article III, Section 5, is stayed for a period of 90 days from the effective date of this Code to afford the Code Authority an opportunity to study and recommend to the Administrator a plan whereby the interests of the carrier shall be better protected.

3. The effect of Article III, Sections 4 and 5, on the hours and rates of pay of office workers shall be reported to the Administrator within 90 days of the effective date of the Code in order to determine whether such hours and rates need be further limited.

Franklin D. Roosevelt

Approval Recommended:

Hugh S. Johnson

The White House,
February 17, 1934.

6606-C

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR THE

GRAPHIC ARTS INDUSTRIES

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 Graphic Arts Industries, 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 hereby 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 conditions:

1. That the provisions of Section 24 of Part 1 of the Code be and same are hereby deleted from the Code; and that all powers and duties delegated in the said section to Labor Boards and/or committees are hereby transferred to the appropriate Code Authorities and Compliance Boards;

Provided, however, that the Administrator is authorized to appoint a National Graphic Arts Labor Board to consist of five members truly representative of employers, to be appointed by the Administrator on nomination of the National Graphic Arts Coordinating Committee, if it desires the appointment of such Board and five members truly representative of employees in the industry to be appointed by the

Administrator on nomination of the Labor Advisory Board of the National Recovery Administration, if it desires the appointment of such Board; and one disinterested member to act as Chairman. The Administrator may appoint alternate members, and the Board may designate such regional boards or temporary Labor Committees as it deems necessary. Any and all disputes between employer and employees with respect to wages, hours or other conditions of employment may be referred by both parties to this Board. When the dispute arises in any industry or group of industries as determined by the Administrator under the Graphic Arts Code, the employer members shall be nominated from the employers of that industry or group, and the employee members shall be nominated from the employees in that industry or group.

2. That the maximum hours of work specified in sections 21 (d); Clause (c) of paragraph A of Section 22; Clause (b) of paragraph B of Section 22; Clause (d) of paragraph A of Section 23, and/or any other provi-

sions of the Code concerning hours of work, shall not be construed as a minimum work day or work week;

Provided, that if at any time in any establishment a majority of the mechanical employees actually employed in any trade, expresses by written request to their employer a desire to share available work with bona fide resident unemployed competent mechanics in their particular trade, the number of hours of work may be adjusted by mutual agreement, and the parties are hereby authorized to proceed in conformity with the principles established in Clause 6 of paragraph 2 of section 21 (d) of the Code and to seek the good offices of any agency established by the Code and/or the National Graphic Arts Labor Board hereinbefore established by this Order.

3. That the Administrator is hereby authorized to hold such further hearings three months after the effective date hereof, as he

may prescribe, to determine whether the definitions of any of the industries included in the Code shall be modified or eliminated, and/or whether such industries or any of them shall continue to be included in the Code.

4. That the provisions of the Code relating to hours, wages and employment, as well as full and complete copies of this Order, shall be posted in a prominent place in the workroom of each establishment subject to this Code.

5. That no Trade Association or group shall be entitled to continue to participate in the administration of the Code one month after the effective date unless and until it shall have satisfied the Administrator that it has amended or modified its Constitution and/or By-Laws to conform to the requirements of the National Industrial Recovery Act and of the Code.

6. That pending the formulation of a compact or code between the several states of the United States to insure the sale of prison made products on a fair competitive basis with products not so made the provisions of paragraph (g) of

Section 26 of the Code applicable to institutions of states or political subdivisions thereof, be and they are hereby stayed for ninety (90) days, or further at the discretion of the Administrator.

Approval Recommended:

Hugh S. Johnson
Administrator.

[redacted]

The following statement shall be published with my Executive Order approving a Code of Fair Competition for the Graphic Arts Industries.

I understand that there is some disagreement in the industries on the provisions of Section 2 of my Executive Order. The terms of the aforesaid condition were strenuously con-

tended for by certain members of the industries. They have been inserted. On the other hand these terms were opposed by the Labor Advisory Board and by certain of the groups of employees of the Graphic Arts Industries.

In view of the disagreement concerning the application of the condition it appears to me desirable to state here that my aforesaid condition is not to be construed or interpreted in such manner as to conflict with Section 7 (a) of the National Industrial Recovery Act. Nor shall such condition interfere with the right of the employees of any locality to express their desire to share regular work with bona fide resident unemployed competent mechanics in their particular trade or craft and to appeal to all agencies of the government to assist them in the exercise of this right.

Franklin D. Roosevelt

The White House

~~January~~ , 1934.

Feb. 17

6606-B

EXECUTIVE ORDER

SUPPLEMENT TO AND AMPLIFICATION OF EXECUTIVE ORDER NO. 6355 OF OCTOBER 23, 1933

WHEREAS questions have arisen concerning the scope and meaning of Executive Order No. 6355, of October 23, 1933, defining the effect of certain provisions in codes of fair competition upon cooperative organizations;

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me under Title 1 of the National Industrial Recovery Act approved June 16, 1933 (48 Stat. 195), it is ordered that said Executive Order No. 6355 be, and it is hereby, supplemented and amplified as follows:

1. No provision in any code of fair competition, agreement or license which has heretofore been or may hereafter be approved, prescribed, or issued pursuant to Title I of the National Industrial Recovery Act, shall be construed or applied so as to make it a violation of any code of fair competition to sell to or through any bona fide and legitimate cooperative organization, including any farmers' cooperative, duly organized under the laws of any State, Territory, or the District of Columbia, or of the United States, or to sell through any intervening agency to such cooperative organization.

2. No such code of fair competition shall be construed or interpreted so as to prevent any such cooperative organization from being entitled to receive, and/or distribute to its members as patronage dividends or otherwise the proceeds or benefits directly or indirectly derived from any discount, commission, rebate, or dividend (a) ordinarily paid or allowed to other purchasers for purchases in wholesale or middle-man

quantities or (b) paid or allowed pursuant to the requirements or provisions of any code of fair competition to other purchasers for purchases in wholesale or middle-man quantities.

3. The Administrator for Industrial Recovery is hereby authorized to determine, after such hearings and proceedings as he may deem necessary, whether, in any doubtful case, an organization is or is not a bona fide and legitimate cooperative organization entitled to the benefits and protection of this order.

Franklin D. Roosevelt

THE WHITE HOUSE,

February 17, 1934.

6606-A

EXECUTIVE ORDER

VETERANS REGULATION NO. 2(c)

EFFECTIVE DATES OF AWARDS OF DISABILITY AND DEATH PENSIONS; PROVISIONS FOR FILING CLAIMS; REVIEW OF PRESUMPTIVE CLAIMS BY SPECIAL REVIEW BOARDS

By virtue of the authority vested in me under section 9 of title I of the act entitled "AN ACT To maintain the credit of the United States Government", approved March 20, 1933 (Public, No. 2, 73d Cong.), the following regulation amending Veterans Regulation No. 2(a) is hereby prescribed:

Paragraph III of part II of Veterans Regulation No. 2(a) is amended to read as follows:

"III. Applications for review on appeal to the Administrator of Veterans' Affairs shall be filed (excepting in those claims involving simultaneously contested claims (see paragraph X (a) hereof)) within 1 year from the date of mailing of notice of the result of initial review or determination or from July 1, 1933, whichever is the later date. Applications for review must be filed with the activity which entered the denial. If no application for review on appeal is filed in accordance with this regulation within the time limit specified, the

action taken on initial review or determination shall become final and the claim will not thereafter be reopened or allowed, except where subsequent to such disallowance new and material evidence in the form of official reports from the proper service department is secured the Administrator of Veterans' Affairs may authorize the reopening of the claim and review of the former decision. If application for review on appeal is entered within the time limit specified by regulations, a reasonable time thereafter will be allowed, if requested, for the perfection of the appeal and the presentation of additional evidence before final determination or decision is made. For the purpose of this paragraph, application for review on appeal, filed with the activity which entered the denial, which is postmarked prior to the expiration of the 1-year period will be accepted as having been filed within the time limit."

Franklin D. Roosevelt

THE WHITE HOUSE,

February 17, 1934.

6606

EXECUTIVE ORDER

AMENDMENT OF EXECUTIVE ORDER NO. 4728
RELATING TO COMMUTATION OF RATIONS AND
QUARTERS TO ENLISTED MEN

Executive Order No. 4728 of September 29, 1927, as amended by Executive Order No. 5022 of January 5, 1929, and restored to full force and effect by Executive Order No. 5288 of February 26, 1930, is hereby amended by adding to item B in table I the words "or to the American Embassy, Moscow, U. S. S. R.," and by adding the following item to table I:

"D.—Special—American Embassy, Moscow, U.S.S.R.,

(a) Subsistence	$3.00	:	$3.00
(b) Quarters	1.00	:	1.00"

Franklin D. Roosevelt

THE WHITE HOUSE,

February 17, 1934.

6605

EXECUTIVE ORDER

Code of Fair Competition
For
The Restaurant Industry

An application having been 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 Restaurant 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 conditions:

1. That Article V, Section 7 of said Code of Fair Competition be and it is hereby suspended from operation until the first day of June, 1934, or until such time as the Administrator shall have reviewed the operation of said Code pursuant to the provisions of Article IX, Section 3 thereof, as to employees:

(a) who are paid for a forty-eight (48) hour work week, not less than the minimum wages prescribed in Article VI, Section 1, subsection (a) of said Code for a fifty-four (54) hour work week;

(b) not less than fifty (50) percent of whom are lodged by their employers on or in the vicinity of the restaurant premises; and

(c) who are employed in a restaurant which serves food only at restricted meal periods for a limited number of

hours at each meal period, at prices which customarily are included in a combination price for board and lodging furnished by the same establishment; provided:

(i) that not more than fourteen (14) consecutive hours shall elapse between the beginning and termination of the hours worked by the above described employees in any twenty-four (24) hour period;

(ii) that not more than two intervals off duty shall be permitted during the course of any twenty-four (24) hour period of employment; and

(iii) that no such employee shall be permitted to work more than nine (9) hours in any twenty-four (24) hour period nor more than forty-eight (48) hours in any one week.

2. That Article V, Section 7 of said Code of Fair Competition be and it is hereby suspended from operation until the first day of June, 1934, or until such time as the Administrator shall have reviewed the operation of said Code pursuant to the provisions of Article IX, Section 3

thereof, as to employees of hotel restaurants employing not more than fifteen (15) persons in the operation of said restaurants, provided:

(a) that no such employee shall be permitted to work in excess of forty-eight (48) hours in any one week nor more than nine (9) hours in any twenty-four (24) hour period;

(b) that no such employee shall be paid for such forty-eight (48) hour work week, less than the minimum wages prescribed in Article VI, Section 1, subsection (a) of said Code for a fifty-four (54) hour work week;

(c) that not more than fourteen (14) consecutive hours shall elapse between the beginning and termination of the hours worked by such employees in any twenty-four (24) hour period; and

(d) that not more than two intervals off duty shall be permitted during the course of any twenty-four (24) hour period of employment.

3. That the regular full time work week of any class of employees immediately prior to the date of this order, shall not be increased, irrespective of the regular full time work week of such class of employees on June 16, 1933; and that under

no circumstances whatsoever shall any female employee be permitted to work in excess of forty-eight (48) hours in any one week except as provided in Article V, Section 5 of said Code.

4. That because the Administrator believes that further investigation of the stop loss provision of this Code is required, the provisions of Article VII, Section 12, be and hereby are suspended from operation and shall not become effective pending further investigation and report from the Code Authority and further investigation by the Administrator to determine whether such provisions shall be indefinitely suspended or modified, or become effective and pending further order by the Administrator.

5. That within ninety (90) days after the effective date of this Code, the

Administrator may, after due notice, hold such further hearings as he may deem necessary for the purpose of determining the adequacy of the minimum wages established in this Code, and thereafter shall submit to me his report and recommendations for my further order, which further order by me shall constitute a modification of, and shall have the effect of a further condition of, my approval of this Code.

Approval recommended:

Hugh S. Johnson
Administrator

The White House
February 16, 1934

6604-B

CODE OF FAIR COMPETITION

FOR THE

LAUNDRY TRADE

EXECUTIVE ORDER

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 Laundry Trade, 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 for a period of 90 days, within which period the adequacy of the minimum wages established in this Code shall be given further study by the Administrator, who shall submit his report and recommendation to me for my further order.

Provided, however, that this Code, other than as shall be necessary to facilitate the accomplishment of the following requirements, shall not become effective as to any given trade area in the United States unless and until the following requirements shall have been fulfilled for each such trade area:

(1) The Code Authority shall have designated the boundaries of such trade area as provided in Article VI, Section 6(c) of the Code and the Administrator shall have approved the same;

(2) The Code Authority shall have estab-

lished a Code Control Board for such trade area as provided in Article VI, Section 6 (d) of the Code;

(3) The Code Control Board for such trade area shall have caused to be determined the uniform service names for laundry services, definitions of said services, a uniform method of billing said services, and the fair and reasonable minimum wholesale and retail prices for the several services for such trade area; and shall have secured the approval of the Administrator thereto, as provided in Article VI, Section 6 (i) and (j) of the Code.

(4) The Code Control Board shall have obtained signatures to a petition in such trade area from not less than seventy per cent (70%), determined according to the method of voting prescribed for the election of the

Board of Directors of the Laundry-owners National Association, of the members of the trade within such trade area, in which petition there is a showing that there exists within such trade area an emergency productive of wide-spread unemployment and disorganization of the Laundry Trade.

(5) The Administrator shall have approved such petition or a petition containing a less percentage of signatures than hereinabove provided in the discretion of the Administrator. The Code shall become fully effective in such trade area upon such approval.

Prior to the full effectiveness of the Code in any given trade area any member of the trade within such trade area who has signed such petition, and who certifies that he is complying with the requirements of said Code, including approved prices for said trade area, shall be entitled while

so complying to make full use of appropriate National Recovery Administration insignia.

Franklin D. Roosevelt

Approval recommended:

Hugh S. Johnson
Administrator

The White House

February 16, 1934.

6604-A

EXECUTIVE ORDER

AUTHORIZATION OF COMMITTEE ON NAVAL AFFAIRS OF THE HOUSE OF REPRESENTATIVES TO INSPECT TAX RETURNS

By virtue of the authority vested in me by Section 257(a) of the Revenue Act of 1926 (ch. 27, 44 Stat. 9, 51), Section 55 of the Revenue Act of 1928 (ch. 852, 45 Stat. 791, 809), and Section 55 of the Revenue Act of 1932 (ch. 209, 47 Stat. 169, 189), it is hereby ordered that the tax returns of all companies or corporations manufacturing or selling airplanes, airplane engines, motors, and other parts and accessories and doing business with the Navy Department since 1921, including their holding or affiliated companies and subsidiaries, a list of which companies or corporations shall be furnished by the Chairman of the Committee on Naval Affairs of the House of Representatives to the Secretary of the Treasury, shall be open to inspection by the said Committee or any sub-Committee thereof, such inspection to be in accordance and upon compliance with rules and regulations which have been or may be prescribed by the Secretary of the Treasury and approved by the President.

Franklin D Roosevelt

THE WHITE HOUSE,

February 15, 1934.

6603-A

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR SOIL CLASSIFICATION

NEBRASKA AND SOUTH DAKOTA

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 therein expressed and to all valid existing rights, it is ordered that all public lands in the townships hereinafter described be, and they are hereby, temporarily withdrawn from settlement, location, sale, entry, and all forms of appropriation, for the purpose of soil classification:

Sixth Principal Meridian, Nebraska

Tps. 32, 33, and 34 N., R. 9 W.

Tps. 32, 33, 34, and 35 N., R. 10 W.

Tps. 33 and 35 N., R. 11 W.

Black Hills Meridian, South Dakota

Tps. 3 N., Rs. 28, 29, and 30 E.

T. 4 N., R. 30 E.

Tps. 3 and 4 N., R. 31 E.

Tps. 4 N., Rs. 32, 33, and 34 E.

Fifth Principal Meridian, South Dakota

Tps. 95 N., Rs. 65, 66, and 67 W.

Tps. 96 N., Rs. 67 and 68 W.

Tps. 97 N., Rs. 68 and 69 W.

T. 98 N., R. 69 W.

Tps. 97, 98, and 99 N., R. 70 W.

Tps. 99, 100, 101, 102, 104, and 105 N., R. 71 W.

Tps. 99, 100, 101, 102, 103, 104, and 105 N., R. 72 W.

Tps. 100, 101, 102, 103, 104, 105, and 106 N., R. 73 W.

Tps. 101, 103, 104, 105, and 106 N., R. 74 W.

Tps. 101, 102, 103, 104, 105, and 106 N., R. 75 W.

Tps. 101, 102, 103, 104, 105, and 106 N., R. 76 W.

Tps. 101, 102, 103, 104, 105, and 106 N., R. 77 W.

Tps. 101, 102, 103, 104, 105, 106, 107, 108, and 109 N., R. 78 W.

Tps. 103, 104, 105, 106, 107, 108, and 109 N., R. 79 W.

Franklin D. Roosevelt

THE WHITE HOUSE,

February 16, 1934.

6604

EXECUTIVE ORDER

ALLOCATION OF FUNDS TO THE FEDERAL EMERGENCY RELIEF ADMINISTRATION

By virtue of and pursuant to the authority vested in me by the act of February 15, 1934 (Public No. 93, 73d Congress), appropriating $950,000,000 to carry out the purposes of the Federal Emergency Relief Act of 1933 (ch. 30, 48 Stat. 55), and to continue the civil-works program, and for other purposes, there is hereby allocated from the said appropriation to the Federal Emergency Relief Administration the sum of $ 500,000,000. of which $150,000,000 shall be available for expenditure during the fiscal year ending June 30, 1934, and $350,000,000, together with any unexpended portion of the said sum of $150,000,000, for the fiscal year ending June 30, 1935.

The sum herein allocated shall be available for making grants to States and for administrative expenses under the provisions of the said Federal Emergency Relief Act of 1933, and under the existing rules and regulations of the Federal Emergency Relief Administrator which are hereby adopted by the President.

The said Administrator is hereby authorized to prescribe such other rules and regulations as may be necessary to effectuate the purposes of the rules and regulations herein adopted by the President.

Franklin D. Roosevelt

THE WHITE HOUSE,

February 15, 1934.

6603

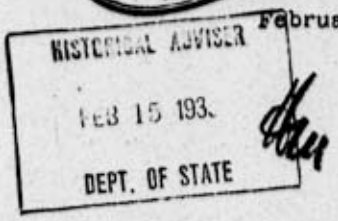
ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON, D.C.

CH RP
DK
FWR

DEPARTMENT OF STATE

In reply refer to
HA

February 13, 1935



Dear Mr. Howe:

I refer to Executive order No. 6602 of February 15, 1934, a copy of which is enclosed.

This order has been held confidential by the Department pursuant to direction from the White House. That direction, however, was not received until after a regular number had been assigned to the order and it had been printed in the usual course. A large number of copies were run off. Five thousand copies were delivered to the Federal Emergency Relief Administration.

Moreover, Executive orders No. 6689 of April 24, 1934, and No. 6952 of January 24, 1935, each refer to the

The Honorable
Louis McH. Howe,
Secretary to the President,
The White House.

the previous allocation of $450,000,000 made by Executive order No. 6602, though without mention of that order itself. Orders Nos. 6689 and 6952 have been printed and distributed in the usual course.

The existence of Executive order No. 6602 and its terms are quite generally known; because of such knowledge and because of the later Executive orders which have been referred to, the Department is embarrassed in responding to requests for copies of Executive order No. 6602.

Accordingly, I suggest that the injunction of secrecy regarding this order be removed.

Sincerely yours,

Cordell Hull

Enclosure:
Copy of Executive
order No. 6602 of
February 15, 1934.

DEPARTMENT OF STATE

DIVISION OF RESEARCH AND PUBLICATION

November 8, 1934.

MEMORANDUM

Pursuant to the instructions of Mr. Forster, two certified photostats of the attached Executive Order No. 6602, approved February 15, 1934, entitled "Allocation of Funds to the Federal Civil Works Administration", were given today to Mr. James Howe, of the Federal Emergency Relief Administration.

DEPARTMENT OF STATE

DIVISION OF RESEARCH AND PUBLICATION

Apr. 25, 1934.

Memorandum.

Mr. Hess of The White House called by telephone today and stated that Executive Order No. 6602, approved Feb. 15, 1934, was still to be withheld from distribution regardless of the statement in Executive Order No. 6689, approved Apr. 24, 1934, that

> "there is hereby transferred to the Federal Emergency Relief Administration, to be available for expenditure during the fiscal year ending June 30, 1934, the sum of $75,000,000 from the sum of $450,000,000 heretofore allocated to the Federal Civil Works Administration from the said appropriation of $950,000,000."

Mr. Hess stated that persons making inquiry at The White House concerning the authority or order allocating the $450,000,000 to the F.C.W.A. will be referred to Mr. Harry L. Hopkins of the F.E.R.A.

JJB/hs

Executive Order

Allocation of Funds to the Federal Civil Works Administration

WHEREAS the Federal Civil Works Administration was created by Executive Order No. 6420-B of November 9, 1933;

WHEREAS section 5 of title 41 of the United States Code provides:

"Except as otherwise provided by law all purchases and contracts for supplies or services in any of the departments of the Government and purchases of Indian supplies, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals. (R.S. § 3709; June 25, 1910, c. 431, § 23, 36 Stat. 861.)";

WHEREAS in connection with the initiation and administration of the Federal Civil Works Administration, the Attorney General has ruled that the duty and responsibility of determining, within the meaning of the aforesaid statute "when immediate delivery or performance is required by the public exigency", is that of the President and that his decision is conclusive and not subject to review by any other officer of the Government;

WHEREAS in the initiation and administration of the Federal Civil Works Administration the President determined that immediate delivery of certain supplies and services were "required by the public exigency";

WHEREAS pursuant to such determination and under the authorization and direction of the President, said supplies and services were "procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals"; and

WHEREAS certain disbursing officers are withholding payments for said supplies and services because they were not acquired through competitive bidding, etc.;

NOW, THEREFORE, by virtue of the authority vested in me by said section 5 of title 41 of the United States Code, title 2 of the National Industrial Recovery Act

(48 Stat. 195), and the act of February 15, 1934 (Public, No. 93, 73d Cong.), appropriating $950,000,000 to carry out the purposes of the Federal Emergency Relief Act of 1933 (ch. 30, 48 Stat. 55), and to continue the Federal Civil Works program, and for other purposes, and by virtue of all other authority vested in me as President of the United States, the said disbursing officers are hereby directed, upon certification of a designated certifying officer of the Federal Civil Works Administration, to make payment for said supplies and services; and for such purposes and to continue the Federal Civil Works program, there is hereby allocated from the said appropriation of $950,000,000, the sum of $450,000,000, which shall be available for the aforesaid purposes under the existing rules and regulations of the Federal Civil Works Administration and such amendments thereto as may hereafter from time to time be promulgated by the Federal Emergency Relief Administrator as head of the Civil Works Administration.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
February 15, 1934.

[No. 6602]

U. S. GOVERNMENT PRINTING OFFICE: 1934

Executive Order

Transfer of Funds to the Federal Emergency Relief Administration from Funds Allocated to the Federal Civil Works Administration

By virtue of and pursuant to the authority vested in me by the act of February 15, 1934 (Public, No. 93, 73d Cong.), appropriating $950,000,000 to carry out the purposes of the Federal Emergency Relief Act of 1933 (ch. 30, 48 Stat. 55) and to continue the civil-works program, and for other purposes, there is hereby transferred to the Federal Emergency Relief Administration, to be available for expenditure during the fiscal year ending June 30, 1934, the sum of $75,000,000 from the sum of $450,000,000 heretofore allocated to the Federal Civil Works Administration from the said appropriation of $950,000,000.

FRANKLIN D. ROOSEVELT.

The White House,
April 24, 1934.

[No. 6689]

U. S. GOVERNMENT PRINTING OFFICE: 1934

Executive Order

TRANSFER OF FUNDS TO THE FEDERAL EMERGENCY RELIEF ADMINISTRATION FROM FUNDS ALLOCATED TO THE FEDERAL CIVIL WORKS ADMINISTRATION

By virtue of and pursuant to the authority vested in me by the act of February 15, 1934 (ch. 13, 48 Stat. 351, 352), appropriating $950,000,000 to carry out the purposes of the Federal Emergency Relief Act of May 12, 1933 (ch. 30, 48 Stat. 55), and to continue the civil-works program, and for other purposes, there is hereby transferred to the Federal Emergency Relief Administration, to be available for expenditure during the fiscal year ending June 30, 1935, the sum of $30,000,000 from the sum of $450,000,000 heretofore allocated to the Federal Civil Works Administration from the said appropriation of $950,000,000.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
January 24, 1935.

[No. 6952]

U. S. GOVERNMENT PRINTING OFFICE, 1935

EXECUTIVE ORDER

ALLOCATION OF FUNDS TO THE FEDERAL CIVIL WORKS ADMINISTRATION

WHEREAS the Federal Civil Works Administration was created by Executive Order No. 6420-B of November 9, 1933;

WHEREAS section 5 of Title 41 of the United States Code provides:

> "Except as otherwise provided by law all purchases and contracts for supplies or services in any of the departments of the Government and purchases of Indian supplies, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals. (R. S. § 3709; June 25, 1910, c. 431, § 23, 36 Stat. 861.)";

WHEREAS in connection with the initiation and administration of the Federal Civil Works Administration, the Attorney General has ruled that the duty and responsibility of determining, within the meaning of the aforesaid statute "when immediate delivery or performance is required by the public exigency", is that of the

President and that his decision is conclusive and not subject to review by any other officer of the Government;

WHEREAS in the initiation and administration of the Federal Civil Works Administration the President determined that immediate delivery of certain supplies and services were "required by the public exigency";

WHEREAS pursuant to such determination and under the authorization and direction of the President, said supplies and services were "procured by open purchase or contract at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals"; and

WHEREAS certain Disbursing Officers are withholding payments for said supplies and services because they were not acquired through competitive bidding, etc;

NOW, THEREFORE, by virtue of the authority vested in me by said section 5 of Title 41 of the United States Code, Title 2 of the National Industrial Recovery Act (48 Stat. 195), and the act of February 15, 1934 (Public No. 93, 73d Congress), appropriating $950,000,000 to carry out the purposes of the Federal Emergency Relief Act of 1933 (ch. 30, 48 Stat. 55), and to continue the Federal Civil Works program, and for other purposes, and by virtue of all other authority vested in me as President of the United States, the said Disbursing Officers are hereby directed, upon certification of a designated certifying officer of the Federal Civil Works Administration, to make payment for said supplies and services; and for such purposes and to continue the Federal Civil Works

program, there is hereby allocated from the said appropriation of $950,000,000, the sum of 450,000,000 which shall be available for the aforesaid purposes under the existing rules and regulations of the Federal Civil Works Administration and such amendments thereto as may hereafter from time to time be promulgated by the Federal Emergency Relief Administrator as head of the Civil Works Administration.

Franklin D Roosevelt

THE WHITE HOUSE,

February 15, 1934.

6602

EXECUTIVE ORDER

INCREASING THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF

EXPORT-IMPORT BANK OF WASHINGTON

WHEREAS, the Export-Import Bank of Washington has been organized pursuant to Executive Order No. 6581, dated February 2, 1934; and

WHEREAS, by the terms of said order it was provided that the governing body of said corporation should consist of a board of trustees composed of five members; and

WHEREAS, it is now deemed desirable to increase the membership of the board of trustees;

NOW, THEREFORE, under and by virtue of the authority vested in me by the National Industrial Recovery Act of June 16, 1933, it is hereby directed that the governing body of the Export-Import Bank of Washington shall consist of a board of trustees composed of not less than five members nor more than nine members. In addition to the five persons named in the Executive Order of February 2, 1934, to handle the concerns of the corporation for the first year, the following persons, who have been invited and who have given their consent to serve, shall also act as trustees of said corporation:

R. Walton Moore	Assistant Secretary of State
George N. Peek	Assistant to the President
Tom K. Smith	Assistant to the Secretary of the Treasury
Harold H. Neff	Counsel, Federal Trade Commission

Any vacancies occurring in the initial board of trustees as so increased shall be filled in accordance with the certificate of incorporation and the by-laws of the Export-Import Bank of Washington, subject to the approval of the President of the United States.

In addition to the five shares authorized by the Executive Order of February 2, 1934, to be held in the names of the initial trustees and their successors, one share may be transferred by the Secretary of

State and the Secretary of Commerce to each of the above named persons, who are hereby made additional trustees of said corporation, to be held by them and their respective successors in the office of trustee, for the use and benefit of the United States.

Franklin D. Roosevelt

THE WHITE HOUSE
Feb. 14 - 1934

6601-A

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR THE

RETAIL SOLID FUEL 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 Retail Solid Fuel 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 approve the report and recommendations and adopt the 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:

Within 120 days after the effective date of this Code the Administrator shall make a report to the President showing the effect of the Code, and particularly the effect of the provisions of Article V thereof, during the period of 90 days following its effective date, in such detail as to permit the President to determine within said 120 days whether, in order to effectuate the policy of the Act, any of the provisions of the Code should be modified or eliminated. The Code is approved with the specific reservation of the power of the President to make such a determination and to modify this approval in accordance therewith.

Franklin D. Roosevelt

Approval recommended:

Hugh S. Johnson
Administrator.

The White House,
February 14, 1934.

6601