EXECUTIVE ORDER

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WAIVER OF CIVIL SERVICE RULE II TO PERMIT THE APPOINTMENT OF MR. ROBERT H. HARTENBERGER AND MR. JAMES B. MORGAN, JR., IN THE WAR DEPARTMENT

By virtue of and pursuant to the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403,404), it is hereby ordered that Mr. Robert H. Hartenberger and Mr. James B. Morgan, Jr., who were seriously burned in attempting to save Government property, may be appointed as airplane painter helper and as watchman, respectively, in the Air Corps at large, War Department, San Antonio, Texas, without compliance with the requirements of Civil Service Rule II.

This order is issued upon the recommendation of the Secretary of War.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 6, 1934.

6631

## EXECUTIVE ORDER

### Approval of Code of Fair Competition for the Anti Hog Cholera Serum and Hog Cholera Virus Industry

WHEREAS, the Secretary of Agriculture and the Administrator of the National Industrial Recovery Act having rendered their separate reports and recommendations and findings on the provisions of said Code, coming within their respective jurisdictions, as set forth in the Executive Order No. 6182 of June 26, 1933, as supplemented by Executive Order No. 6207 of July 21, 1933, Executive Order No. 6545 of October 20, 1933, and Executive Order No. 6551 of January 8, 1934.

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 find that:

1. An application has 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 Anti Hog Cholera Serum and Hog Cholera Virus Industry; and,

2. Due notice and opportunity for hearings to interested parties has been given pursuant to the provisions of the Act and regulations thereunder; and,

3. Hearings have been held upon said Code, pursuant to such notice and pursuant to the pertinent provisions of the Act and regulations thereunder; and,

4. Said Code of Fair Competition constitutes a Code of Fair Competition, as contemplated by the Act and complies in all respects with the pertinent provisions of the Act, including clauses (1) and (2) of subsection (a) of Section 3 of Title 1 of the Act; and

5. It appears, after due consideration, that said Code of Fair Competition will tend to effectuate the policy of Congress as declared in Section 1 of Title I of the Act.

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 approve said Code of Fair Competition for the Anti-Hog Cholera Serum and Hog Cholera Virus Industry.

Franklin D. Roosevelt
President of the United States

The White House,

March, 6 1934.

6631-A.

EXECUTIVE ORDER

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CREATION OF THE NATIONAL RECOVERY REVIEW BOARD

By virtue of the authority vested in me under the provisions of Title I of the National Industrial Recovery Act of June 16, 1933 (c. 90, 48 Stat. 195), and in order to effectuate the purposes of said title, I hereby establish an organization which shall be known as the National Recovery Review Board.

The following persons are hereby appointed to serve as members of the said Board:

Clarence Darrow

W. W. Neal

Fred P. Mann, Sr.

John F. Sinclair

Samuel C. Henry

W. O. Thompson

The duties and functions of the National Recovery Review Board shall be as follows:

(1) To ascertain and report to the President whether any code or codes of fair competition approved under the authority of Title I of the National Industrial Recovery Act are designed to promote monopolies or to eliminate or oppress small enterprises or operate to discriminate against them, or will permit monopolies or monopolistic practices, and if it finds in the affirmative to specify in its reports wherein such results follow from the adoption and operation of any such code or codes.

(2) To recommend to the President such changes in any approved code or codes as, in the opinion of the Board, will rectify or eliminate such results.

The members of said Board shall receive as compensation for their services $25.00 per day for the time they are engaged, respectively, in the performance of their duties, together with such expenses as may be allowed by law to officers and employees of the regular establishments of the Government; and the said Board may, without regard to the provisions of the civil service laws or the Classification Act of 1923, as amended, or the provisions of Executive Order No. 6440, as amended, appoint and fix the compensation and prescribe the duties of such clerical, technical, and legal personnel as may be necessary to carry out the purposes of this order.

The facilities and records of the National Recovery Administration shall be available to the Board whenever required in connection with the performance of its duties.

Franklin D Roosevelt

THE WHITE HOUSE,

March 7, 1934.

6632

EXECUTIVE ORDER

WAIVER OF CIVIL SERVICE RULE II TO PERMIT THE APPOINTMENT OF MR. F. HARRY LEWIS IN THE CUSTOMS SERVICE

By virtue of and pursuant to the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403, 404), it is hereby ordered that Mr. F. Harry Lewis may be appointed to the position of examiner of merchandise in the office of the United States Appraiser of Merchandise, Customs Service, New York, New York, without compliance with the requirements of Civil Service Rule II.

Mr. Lewis has served continuously in the Customs Service since 1913 in the excepted position of Chinese interpreter. The Appraiser at New York states that Mr. Lewis is the only employee in the Customs Service who, in addition to possessing a knowledge of customs procedure, is able to translate and classify Chinese and Japanese invoices, and that, through long experience in the interpretation of these documents for examiners of merchandise and in otherwise assisting them, Mr. Lewis has qualified himself to perform the duties of an examiner. The Appraiser is of the opinion that the appointment of Mr. Lewis to the position of examiner would be of invaluable benefit to the Customs Service.

This order is requested by the Appraiser at New York and is recommended by the Secretary of the Treasury.

THE WHITE HOUSE,

March 7, 1934.

Franklin D. Roosevelt

6633

EXECUTIVE ORDER

LAWRENCEBURG, INDIANA, DESIGNATED 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. 225, 38 Stat. 609, 625; 19 U.S.C., sec. 2), Lawrenceburg, Indiana, is hereby designated as a customs port of entry in customs collection district no. 40 (Indiana), with headquarters at Indianapolis, Indiana, effective as of this date.

There shall be included within the limits of this port the adjoining town of Greendale, Indiana.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 7, 1934.

6634

EXECUTIVE ORDER

WICHITA, KANSAS, 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. 225, 38 Stat. 609, 625; 19 U.S.C., sec. 2), Wichita, Kansas, is hereby abolished as a customs port of entry in customs collection district no. 45 (St. Louis), with headquarters at St. Louis, Missouri, effective as of 30 days from the date of this order.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 7, 1934.

6635

EXECUTIVE ORDER

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WAIVER OF REGULATIONS FOR APPOINTMENT OF UNCLASSIFIED LABORERS TO PERMIT THE APPOINTMENT OF MRS. MARION DOODY

By virtue of and pursuant to the authority vested in me by section 1753 of the Revised Statutes, it is hereby ordered that Mrs. Marion Doody may be appointed as a charwoman in the Custodial Service at the Boston Post Office, Boston, Massachusetts, without compliance with the Regulations for Appointment of Unclassified Laborers.

Mrs. Doody is the widow of William Doody, who served many years as a carrier in the Post Office Department.

This order is issued upon the recommendation of the Postmaster General.

Franklin D. Roosevelt

THE WHITE HOUSE,
March 8, 1934.

6636

EXECUTIVE ORDER

NATIONAL RECOVERY REVIEW BOARD

By virtue of the authority vested in me under the provisions of Title 1 of the National Industrial Recovery Act of June 16, 1933 (c. 90, 48 Stat . 195), and pursuant to Executive Order dated March 7, 1934, creating the National Recovery Review Board, the Federal Emergency Administration of Public Works is hereby directed to allot to the said National Recovery Review Board from the monies heretofore ear marked for the National Recovery Administration, the sum of fifty thousand dollars ($50,000) to carry out its functions.

Franklin D Roosevelt

The White House,

March 9 , 1934.

6637

EXECUTIVE ORDER

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AUTHORIZING THE FORMATION OF A BANKING CORPORATION

TO BE KNOWN AS

SECOND EXPORT-IMPORT BANK OF WASHINGTON, D. C.

WHEREAS The Congress of the United States has declared that a national emergency exists by reason of widespread unemployment and disorganization of industry; and has declared it to be the policy of Congress to remove obstructions to the free flow of interstate and foreign commerce which tend to diminish the amount thereof; to provide for the general welfare by promoting the fullest possible utilization of the present productive capacity of industries, to reduce and relieve unemployment, to improve standards of labor and otherwise to rehabilitate industry and to conserve national resources; and

WHEREAS in order to meet said emergency and to provide the relief necessary to protect the general welfare of the people, the Congress of the United States has enacted, inter alia, the following acts:

1. National Industrial Recovery Act, approved June 16, 1933;
2. Agricultural Adjustment Act, approved May 12, 1933;
3. Reconstruction Finance Corporation Act, approved January 22, 1932;
4. Bank Conservation Act, approved March 9, 1933; and

WHEREAS in order effectively and efficiently to carry out the provisions of said acts it is expedient and necessary that a banking corporation be organized with power to aid in financing and to facilitate exports and imports and the exchange of commodities between the United States and other

nations or the agencies or nationals thereof;

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 declared that an agency, to wit: a banking corporation, be created pursuant to Title 5, Chapter 9, Section 261 of the Code of the District of Columbia (1929), under the name of Second Export-Import Bank of Washington, D. C.

The governing board of said corporation shall consist of a Board of Trustees composed of nine members, and the following persons, who have been invited and who have given their consent to serve, shall constitute the initial board of trustees and shall handle the concerns of the corporation for the first year:

| | |
|---|---|
| Daniel C. Roper, | Secretary of Commerce |
| R. Walton Moore, | Assistant Secretary of State |
| George N. Peek, | Special Adviser to the President on Foreign Trade |
| Robert F. Kelley, | Chief of the Division of Eastern European Affairs, Department of State |
| Chester C. Davis, | Administrator, Agricultural Adjustment Administration |
| Tom K. Smith, | Assistant to the Secretary of the Treasury |
| Stanley Reed, | General Counsel, Reconstruction Finance Corporation |
| Lynn P. Talley, | Executive Assistant to the Directors of the Reconstruction Finance Corporation |
| Harold H. Neff, | Assistant Chief, Securities Division, Federal Trade Commission |

The operations of the corporation shall be carried on in the District of Columbia, and the main office of the corporation shall be at 1825 H Street, N.W., Washington, District of

Columbia, or at such other place as may be determined by the board of trustees.

The amount of capital stock of the corporation shall be $2,750,000.00, divided into classes and shares as follows:

(a) $250,000.00 par value of common stock, divided into 2,500 shares of the par value of $100 each; and

(b) $2,500,000.00 par value of preferred stock, divided into 2,500 shares of the par value of $1,000 each.

The Secretary of State and the Secretary of Commerce are hereby authorized and directed to cause said corporation to be formed with such certificate of incorporation, and by-laws, as they shall deem requisite and necessary to define the methods by which the corporation shall conduct its business.

The Secretary of State and the Secretary of Commerce are authorized and directed to subscribe for all of the common capital stock of said corporation for the use and benefit of the United States, and shall provide that one share thereof shall be issued to each of the initial trustees and their successors in order to qualify them to hold the office of trustee in said banking corporation.

There is hereby set aside for the purpose of subscribing for the common capital stock of said corporation, the sum of $250,000 out of the appropriation of $3,300,000,000 authorized by section 220 of the National Industrial Recovery Act and made by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (Public No. 77, 73d Cong.).

It is hereby further directed that any common stock in said corporation standing in the name of the Secretary of State and the Secretary of Commerce, for the use and benefit of the United States, shall be voted by such person or persons as they, the Secretary of State and the Secretary of Commerce, shall appoint as their joint agent or agents for that purpose.

Any vacancies occurring in the initial board of trustees shall be filled by the remaining members, subject to the approval of the President of the United States.

THE WHITE HOUSE,
March 9, 1934.

Franklin D Roosevelt

6638

EXECUTIVE ORDER

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CONSOLIDATION OF EXECUTIVE AGENCIES ENGAGED IN THE ENFORCEMENT OF THE INTERNAL REVENUE LAWS

WHEREAS, section 16 of the act of March 3, 1933 (ch. 212, 47 Stat. 1489, 1517), provides for reorganizations within the executive branch of the Government; requires the President to investigate and determine what reorganizations are necessary to effectuate the purposes of section 16; and authorizes the President to make such reorganizations by Executive order; and

WHEREAS, I have investigated the organization of the executive and administrative agencies of the Government which are engaged in the enforcement of the Internal Revenue laws, and have determined that a consolidation of such agencies is necessary to accomplish the purposes of section 16;

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the aforesaid section 16 of the act of March 3, 1933, it is hereby ordered as follows:

Transfer of functions

1(a). The Bureau of Industrial Alcohol and the Office of Commissioner of Industrial Alcohol are abolished, and the authority, rights, privileges, powers, and duties conferred and imposed by law upon the Commissioner of Industrial Alcohol are transferred to and shall be held, exercised, and performed by the Commissioner of Internal Revenue, and his assistants, agents, and inspectors, under the direction of the Secretaryof the Treasury.

(b). The authority, rights, privileges, powers, and duties conferred and imposed upon the Attorney General by the act of May 27, 1930 (ch. 342, 46 Stat. 427),

entitled "An Act to transfer to the Attorney General certain functions in the administration of the National Prohibition Act, to create a Bureau of Prohibition in the Department of Justice, and for other purposes," so far as they are required to, or may, be exercised and performed under existing law, are transferred to and shall be held, exercised, and performed by the Commissioner of Internal Revenue, and his assistants, agents, and inspectors, under the direction of the Secretary of the Treasury: Provided, That the Attorney General shall continue to exercise the power and authority (a) to remit or mitigate forfeitures under the Internal Revenue laws and to determine liability for Internal Revenue taxes and penalties, in connection with violations of the National Prohibition Act occurring prior to the repeal of the Eighteenth Amendment, and (b) to institute suits upon any cause of action under the National Prohibition Act or under the Internal Revenue laws involving a violation of the National Prohibition Act, arising prior to, and/or not affected by, the repeal of the Eighteenth Amendment, and to compromise any such cause of action before or after suit is brought: And provided further, That the Commissioner of Internal Revenue, subject to the approval of the Secretary of the Treasury, shall prescribe all regulations under the provisions of the National Prohibition Act, and all laws amendatory thereof or supplementary thereto, which were not rendered inoperative by the repeal of the Eighteenth Amendment, relating to permits, and he shall prescribe the form of all applications, bonds, permits, records, and reports under such acts.

Transfer of official records and property

2(a). The official records and papers on file in, and pertaining to the business of, the Bureau of Industrial Al-

cohol, together with the supplies, furniture, equipment, and other property of the United States in use in such bureau, are transferred to the Bureau of Internal Revenue.

(b). The official records and papers on file in the Department of Justice pertaining to the functions transferred by this order to the Commissioner of Internal Revenue, together with the supplies, furniture, equipment, and other property of the United States in use in said Department in connection with the performance of such functions, are transferred to the Bureau of Internal Revenue.

Transfer of personnel

3(a). The officers and employees employed in, or under the jurisdiction of, the Bureau of Industrial Alcohol, are transferred to the Bureau of Internal Revenue, without change in classification or compensation.

(b). The officers and employees employed in, or under the jurisdiction of, the Alcoholic Beverage Unit of the Division of Investigation, Department of Justice, except those employed in, or under the jurisdiction of, the taxes and penalties section of said Unit, are transferred to the Bureau of Internal Revenue without change in classification or compensation.

(c). Officers and employees transferred to the Bureau of Internal Revenue hereunder, who do not already possess a competitive classified civil-service status, shall not acquire such status by reason of such transfer, except upon recommendation by the Secretary of the Treasury to the Civil Service Commission, subject to such noncompetitive tests of fitness as the Commission may prescribe; and no officer or

employee so transferred may be retained in the Bureau of Internal Revenue without appropriate civil-service status for a period longer than sixty days from the effective date of this order.

Transfer of appropriations.

4. The unexpended balances of appropriations for the Bureau of Industrial Alcohol and the field service thereunder, and the unexpended balances of the appropriations made for salaries and expenses, Bureau of Prohibition, Department of Justice, including the field service thereof, in so far as may be required for the performance of the functions transferred by this order to the Commissioner of Internal Revenue, shall be transferred on the books of the Treasury Department to the appropriation entitled "Collecting the Internal Revenue," which shall thereafter be available in the Bureau of Internal Revenue as a single fund for expenditure for the purposes named in the laws making the separate appropriations for "Salaries and Expenses, Bureau of Industrial Alcohol, Treasury Department," "Salaries and expenses, Bureau of Prohibition, Department of Justice," and "Collecting the Internal Revenue," respectively; and appropriations, if any, made to the Bureau of Industrial Alcohol and the Department of Justice, respectively, for the fiscal year 1935, for the performance of the functions transferred by this order to the Bureau of Internal Revenue shall likewise be transferred on the books of the Treasury Department to the appropriation "Collecting the Internal Revenue", subject to the conditions herein set forth.

General provisions

5. Executive Orders numbered 6166, 6224, and 6540, dated June 10, 1933, July 27, 1933, and December 28, 1933, respectively, are revoked in so far as they are in conflict with the provisions of this order.

6. This order shall take effect upon the sixty-first calendar day after its transmission to Congress, unless otherwise determined in accordance with law.

Franklin D. Roosevelt

DONE IN TRIPLICATE

THE WHITE HOUSE,

March 10, 1934.

6639

EXECUTIVE ORDER

SUPPLEMENTARY CODE OF FAIR COMPETITION

FOR THE

PAINTING, PAPERHANGING AND DECORATING 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 III of said Code, which Chapter III is applicable to the Painting, Paperhanging and Decorating Division of the Construction Industry, and hearings having been held thereon, and the Administrator having rendered his report containing an analysis of said Chapter III and of said Code of Fair Competition as modified by the addition thereto of said Chapter III, together with his recommendations and findings with respect thereto, and the Administrator having found that the said Chapter III and the said Code of Fair Competition, as modified by the addition thereto of said Chapter III, 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 III 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 III.

Approval Recommended:

Hugh S. Johnson,
Administrator.

The White House,
March 22, 1934.

6640

## EXECUTIVE ORDER

### CODE OF FAIR COMPETITION
### FOR THE
### SCRAP IRON, NONFERROUS SCRAP METALS
### AND WASTE MATERIALS 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 Scrap Iron, Nonferrous Scrap Metals and Waste Materials 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 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 conditions:

The Code Authority for the "Waste Paper Trade" and/or the Administration Member on said Code Authority shall report to the Administrator not later than sixty (60) days after the effective date hereof, whether or not a supplementary Code is necessary or desirable for the "Waste

Paper Trade" and recommend all necessary provisions for such supplementary code. Such recommendations when approved by the Administrator after such notice and hearing as he may deem proper shall have the same force and effect as other provisions of this Code.

Franklin D. Roosevelt

Approval recommended:

Hugh S. Johnson
Administrator.

The White House,
March 12, 1934.

6641

EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 5202 OF OCTOBER 7, 1929,

WITHDRAWING PUBLIC LANDS

CALIFORNIA

By virtue of and pursuant to 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 ordered that Executive Order No. 5202, dated October 7, 1929, withdrawing the following-described public lands in California, be, and it is hereby, revoked:

Mount. Diablo Meridian

T. 15 S., R. 28 E., secs. 23, 24, 25, 26, 27, 35, and 36.

T. 16 S., R. 28 E., secs. 1, 2, and 12.

It is further ordered, pursuant to Public Resolution 85, approved June 12, 1930 (ch. 471, 46 Stat. 580), that, subject to valid rights and the provisions of existing withdrawals, the public lands in said sections shall be opened only to entry under the homestead or desert-land laws by qualified ex-service men for whose service recognition is granted by said resolution, under the terms and conditions of said resolution and the regulations issued thereunder, for a period of 91 days beginning with the date of the official filing of the plats of resurvey of said sections, and thereafter to appropriation by the general public under any public-land law applicable thereto.

Subsequent to the date hereof and prior to the date of restoration to general disposition as herein provided,

no right may be acquired to such lands by settlement in advance of entry or otherwise except strictly in accordance with the provisions of this order.

Franklin D Roosevelt

THE WHITE HOUSE,

March 14, 1934.

6642

EXECUTIVE ORDER

REVOCATION IN PART OF EXECUTIVE ORDER NO. 5836 OF APRIL 15, 1932, WITHDRAWING PUBLIC LANDS CALIFORNIA AND NEVADA

By virtue of and pursuant to 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 ordered that Executive Order No. 5836, dated April 15, 1932, withdrawing certain lands in California and Nevada, be, and it is hereby, revoked as to the following-described lands:

CALIFORNIA

San Bernardino Meridian

T. 3 N., R. 4 W.

T. 4 N., R. 3 W., secs. 1 to 18 inclusive.

It is further ordered, pursuant to Public Resolution 85, approved June 12, 1930 (ch. 471, 46 Stat. 580), that, subject to valid rights and the provisions of existing withdrawals, the public lands in the areas released from such withdrawal shall be opened only to entry under the homestead and desert-land laws by qualified ex-service men for whose service recognition is granted by said resolution, under the terms and conditions of said resolution and the regulations issued thereunder, for a period of 91 days beginning with the sixty-third day from and after the date hereof, and thereafter to appropriation by the general public under any public-land law applicable thereto.

Subsequent to the date hereof and prior to the date of restoration to general disposition as herein provided,

no right may be acquired to such lands by settlement in advance of entry or otherwise except strictly in accordance with the provisions of this order.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 14, 1934.

6643

EXECUTIVE ORDER

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WITHDRAWAL OF PUBLIC LANDS FOR RESURVEY

COLORADO

By virtue of and pursuant to 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 the public lands in Tps. 2 and 3 S., R. 82 W. of the sixth principal meridian, Colorado, be, and they are hereby, withdrawn from settlement, location, sale, or entry, 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 act of Congress.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 14, 1934.

6644

EXECUTIVE ORDER

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WITHDRAWAL OF PUBLIC LANDS TO PROVIDE MATERIAL FOR THE CONSTRUCTION AND REPAIR OF PUBLIC ROADS

SOUTH DAKOTA

By virtue of and pursuant to 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 the public lands in T. 3 S., R. 2 E., SE 1/4 sec. 36, Black Hills meridian, South Dakota, within the Harney National Forest, be, and they are hereby, withdrawn from settlement, location, sale, or entry, for the purpose of providing material for the construction and repair of public roads.

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,

March 17, 1934.

6645

EXECUTIVE ORDER

GOVERNMENT CONTRACTS AND CONTRACTS INVOLVING THE USE OF GOVERNMENT FUNDS

By virtue of authority vested in me as President of the United States, it is hereby ordered that:

1. (a) All invitations to bidders hereafter promulgated by or in behalf of any executive department or independent establishment or other agency or instrumentality of the United States, including government owned and government controlled corporations (all of the foregoing being hereinafter described as agencies of the United States), shall contain a provision to the effect that no bid will be considered unless it includes or is accompanied by a certificate duly executed by the bidder stating that the bidder is complying with and will continue to comply with each approved code of fair competition to which he is subject, and if engaged in any trade or industry for which there is no approved code of fair competition, then stating that as to such trade or industry he has become a party to and is complying with and will continue to comply with an agreement with the President under Section 4(a) of the National Industrial Recovery Act.

(b) No bid which does not comply with the foregoing requirements shall be considered or accepted.

(c) All contracts and purchase orders authorized by any agency of the United States shall contain a provision to the effect that the party or parties awarded any such contract or purchase order shall comply with each approved code of fair competition to which it is subject and if engaged in any trade or industry for which there is no

approved code of fair competition, then, as to such trade or industry, with an agreement with the President as aforesaid; and that the United States shall have the right to cancel any contract for failure to comply with such provision and make open market purchases or have the work called for by the contract otherwise performed, at the expense of the contractor.

(d) No agency of the United States and no Government contractor or supplier shall hereafter accept or purchase for the performance of any contract or purchase order or enter into any subcontracts for any articles, materials or supplies, in whole or in part produced or furnished by any person who shall not have certified that he is complying with and will continue to comply with each code of fair competition which relates to such articles, materials, or supplies, or in case there is no approved code for the whole or any portion thereof, then, to that extent, with an agreement with the President as aforesaid.

(e) The foregoing provisions of this order shall likewise apply to all contracts and purchase orders authorized by any state, municipal corporation, local subdivision, person or corporation in connection with projects carried out or to be carried out, wholly or in part, with funds loaned or granted by any agency of the United States, and all contracts and agreements for the making of any such loan or grant shall contain a provision requiring the state, municipal corporation, local subdivision, person or corporation receiving such loan or grant, to comply with the provisions of this order; provided that this paragraph shall not be construed as requiring the restriction of the use of materials to those produced within the United States nor to require price differentials in favor of such materials.

2. Any person falsely certifying as to compliance as aforesaid who submits any such proposal, bid, contract or subcontract or accepts any purchase order, may be punished as provided in Section 10(a) of the National Industrial Recovery Act, by a fine of not to exceed Five Hundred Dollars ($500) or imprisonment not to exceed six months, or both, and in event of any such false certification by any such person, any contract, subcontract, or purchase order to which he is party secured by or in furtherance of any such proposal or bid may be cancelled by the other party thereto, and the unfinished portion thereof completed at the expense of the person guilty of such false certification and his sureties, if any.

3. Whenever a dispute shall arise between any agency of the United States and any bidder, contractor, supplier or other person as to compliance with any Code of Fair Competition or with an agreement with the President as aforesaid in connection with any proposal, bid, contract, subcontract, or purchase order mentioned herein, the Administrator for Industrial Recovery, or such agency as he shall designate, shall decide such dispute and, for the purposes of action under this Executive Order, such decision shall be final and conclusive; but the determination of such agency of the United States shall be effective for all purposes pending such decision.

4. All provisions of approved Codes of Fair Competition shall apply to the making and performance of contracts with or sales to agencies of the United States.

5. The Administrator for Industrial Recovery may make exceptions in specific cases or otherwise under this

Order whenever such action shall be recommended to him by an agency of the United States and when in the judgment of the Administrator justice or public interest will best be served thereby.

6. Any provisions of Executive Order No. 6246, signed August 10, 1933, or any other Executive Order, and any rule or regulation in conflict herewith are hereby to that extent modified and rescinded.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 14, 1934.

6646

EXECUTIVE ORDER

EXEMPTION OF W. H. MORAN FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS section 204 of the act of June 30, 1952 (ch. 514, 47 Stat. 382, 404; 5 USC., sec. 692b), provides:

"On and after July 1, 1952, 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 W. H. Moran, Chief of the Secret Service Division, Treasury Department, 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 March 31, 1956;

NOW, THEREFORE, by virtue of the authority vested in me by the aforesaid statute, I do hereby exempt W. H. Moran from the provisions thereof and continue him in the service until March 31, 1956.

THE WHITE HOUSE,
March 17, 1954.

Franklin D. Roosevelt

6647

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR THE

BOWLING AND BILLIARD OPERATING 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 Bowling and Billiard Operating 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.

Franklin D. Roosevelt

The White House,
March 17, 1934.

Approval Recommended:

Hugh S. Johnson
Administrator.

6647-A

**EXECUTIVE ORDER**
**CODE OF FAIR COMPETITION FOR THE**
**MACHINERY AND ALLIED PRODUCTS 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 Machinery and Allied Products 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, on condition that each of the trade associations representing the thirty-nine (39) subdivisions of this Code shall amend its constitution, by-laws and/or articles of incorporation or association to the satisfaction of the Administrator within thirty (30) days after the effective date of this Code and that the code authority constituted under this Code and the code authority under the Code of Fair Competition for the Automotive Parts and Equipment Industry study the definitions contained in the two codes referred to, and within sixty (60) days from the effective date of this Code recommend to the Administrator such changes in said definitions as will eliminate any overlapping therein.

Franklin D. Roosevelt

Approval recommended:
Hugh S. Johnson
Administrator.

The White House
March 17, 1934.

6647-B

## EXECUTIVE ORDER

**Approval of Code of Fair Competition for the Grain Exchanges and Members Thereof.**

WHEREAS, the Secretary of Agriculture and the Administrator of the National Industrial Recovery Act having rendered their separate reports and recommendations and findings on the provisions of said Code, coming within their respective jurisdictions, as set forth in the Executive Order dated January 8, 1934, amending Executive Order No. 6182 of June 26, 1933, as supplemented by Executive Order No. 6207 of July 21, 1933, and Executive Order No. 6345 of October 20, 1933.

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 find that:

1. An application has 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 Grain Exchanges and Members Thereof; and,

2. Due notice and opportunity for hearings to interested parties has been given pursuant to the provisions of the Act and regulations thereunder; and,

3. Hearings have been held upon said Code, pursuant to such notice and pursuant to the pertinent provisions of the Act and regulations thereunder; and,

4. Said Code of Fair Competition constitutes a Code of Fair Competition, as contemplated by the Act and complies in all respects with the pertinent provisions of the Act, including clauses (1) and (2) of subsection (a) of Section 3 of Title I of the Act; and,

5. It appears, after due consideration, that said Code of Fair Competition will tend to effectuate the policy of Congress as declared in Section 1 of Title I of the Act.

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

approve said Code of Fair Competition for the Grain Exchanges and Members Thereof.

Franklin D. Roosevelt
President of the United States

The White House,

March 20, 1934.

66-1

EXECUTIVE ORDER

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WAIVER OF CIVIL-SERVICE RULE II TO PERMIT THE APPOINTMENT OF MRS. ELIZABETH BASS IN THE TREASURY DEPARTMENT

By virtue of and pursuant to the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403, 404), it is hereby ordered that Mrs. Elizabeth Bass may be appointed as district supervisor, Bureau of Narcotics, Treasury Department, without compliance with the requirements of civil-service rule II.

This order is recommended by the Secretary of the Treasury, who states that Mrs. Bass has been serving temporarily as district supervisor, with the approval of the Civil Service Commission, since July 31, 1933, and that her permanent appointment will be in the interest of the service.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 23, 1934.

6649

EXECUTIVE ORDER

---

AMENDMENT OF EXECUTIVE ORDER NO. 5860 OF JUNE 22, 1932, PRESCRIBING RULES GOVERNING THE GRANTING AND ISSUING OF PASSPORTS IN THE UNITED STATES

Executive Order No. 5860 of June 22, 1932, prescribing rules governing the granting and issuing of passports in the United States, is hereby amended as follows:

1. Rule 20 shall read as follows:

"20. The fee of $9, payable in currency or postal money order, must accompany each application for a passport executed before a clerk of court. If executed before a passport agent of the Department of State, the fee should be paid in currency. Postal money orders should be made payable to the Secretary of State."

2. Rule 98 shall read as follows:

"98. The fee of $5, in currency or postal money order, should accompany each request for renewal. Postal money orders should be made payable to the Secretary of State."

3. Rule 99 is cancelled.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 23, 1934.

6650

EXECUTIVE ORDER

---

ESTABLISHING THE OFFICE OF SPECIAL ADVISER ON FOREIGN TRADE

WHEREAS the guidance of public policy in relation to international commerce has tended, in recent years, to encounter increasingly complex problems, which can be solved only upon the basis of the comprehensive analysis and coordinated utilization of those of our resources which relate to trade with other countries; and

WHEREAS this analysis and utilization require that the powers and duties assigned to various executive establishments and agencies for the purpose of promoting, reinforcing, or protecting the foreign trade of the United States be coordinated and the work of such establishments and agencies be made as effective as possible;

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me under Title I of the National Industrial Recovery Act approved June 16, 1933 (ch. 90, 48 Stat. 195), and otherwise, and in order to aid in effectuating the policy of said Title and the fulfillment of the purposes hereinbefore set forth -

(1) There is hereby established the Office of Special Adviser to the President on Foreign Trade, the head of which shall be the Special Adviser, who shall be appointed by the President and shall receive a salary to be fixed by me. The Special Adviser may appoint, without regard to the Civil Service laws or the Classification Act of 1923, as amended, fix the compensation and prescribe the duties and authority of such officials and employees, and make such expenditures (including expenditures for personal services, and rent at the seat of the Government and elsewhere, for law books, books of reference, newspapers and periodicals, and for paper, printing, and binding) as may be necessary to carry into effect the provisions of this order.

(2) (a) The Special Adviser, in order to effectuate the general purposes of this order, and to keep me informed with respect to our foreign trade, is authorized to obtain, review, and coordinate the information, statistics, and data with reference to the foreign trade of the United States collected or prepared by any department or other establishment or agency of the Federal Government (hereinafter referred to as "department or other agency"), or elsewhere.

(b) In connection with foreign trade activities, the Special Adviser is authorized to carry on negotiations with respect to specific trade transactions with any individual, corporation, association, group, or business agency interested in obtaining assistance from the Federal Government through (1) financing transactions, (2) barter transactions, or (3) other forms of Governmental participation authorized by law.

(c) The Special Adviser shall bring such proposals with respect to these transactions as seem meritorious to him before the departments or other agencies affected by or having an interest therein for appropriate action, and shall keep me advised concerning the action taken or proposed by such department or other agency.

(d) The authorization herein set forth shall not exclude any department or other agency from carrying on such activities as are now authorized by law. For example, the State Department shall function in its usual way to the extent that any question of foreign policy is involved.

(3) (a) The departments and other agencies, including the Export-Import Banks, are hereby requested to make available to the Special Adviser (and whenever practicable in the form requested by him) their information, statistics, and data concerning foreign trade, to furnish (with the consent of the head of the department

or other agency) their services and facilities and to cooperate with him to as full an extent as may be practicable in order to effectuate the purposes of this order. The Special Adviser is authorized to reimburse any department or other agency for exceptional or unusual assistance from such funds as may be allocated to the Office of the Special Adviser.

(b) The contact of the Special Adviser with each department or agency shall be through the head of such department or agency or through such channel as the head of such department or agency shall designate.

(4) For the purposes of this order the sum of $100,000 is hereby allocated to the Office of the Special Adviser to the President on Foreign Trade from the appropriation of $3,300,000,000 authorized by section 220 of the National Industrial Recovery Act and made by the Fourth Deficiency Act, fiscal year 1933, approved June 16, 1933 (ch. 100, 48 Stat. 274).

(5) (a) The temporary committee created by me as set forth in the public statement of December 11, "to recommend permanent machinery to coordinate all Government relations to American foreign trade" is supplanted by the present arrangement. The Special Adviser, with the approval of the President, is hereby authorized to create such committees as he may deem appropriate or necessary to assist and promote in carrying out the purposes of this order.

(b) The formulation of commercial policies with respect to foreign trade and the effecting of general foreign trade agreements will remain in the department or other agency now charged by law with responsibility therefor.

Franklin D. Roosevelt

THE WHITE HOUSE

March 23, 1934

6651

**EXECUTIVE ORDER**

**AMENDMENTS TO CODE OF FAIR COMPETITION**

**FOR**

**INVESTMENT BANKERS.**

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 the Amendments to the Code of Fair Competition for Investment Bankers, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of the said Amendments together with his recommendations and findings with respect thereto, and the Administrator having found that the said Amendments 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; and the Administrator having further found that the agreement provided for in Article X of the said Amendments, pursuant to the provisions of subsection (a) of Section 4 of the said Act, will aid in effectuating the policy of the said Title I:

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 Amendments to the Code of Fair Competition be and they are hereby approved, subject to the following condition:

Inasmuch as the Amendments hereby approved are designed to accomplish far reaching and desirable reforms in the practices of investment bankers, involving important changes in methods

heretofore customary, it is considered necessary to prescribe a more expeditious method than that prescribed in the Code for effectuating changes in the provisions of the Code as amended. In order, therefore, to provide prompt relief for any hardship which may have been inadvertently imposed by the provisions of the Code as amended, or to make such corrections as may become necessary to meet unforeseen contingencies, the Administrator may, upon recommendation of the Investment Bankers Code Committee or otherwise, and after such notice and hearing as he may specify, approve such modification or amendment of this Code as amended as he may deem necessary or desirable.

FRANKLIN D. ROOSEVELT.

Approval recommended:

Hugh S. Johnson,
Administrator.

The White House,
March 23, 1934.



6652

**DEPARTMENT OF STATE**

**DIVISION OF RESEARCH AND PUBLICATION**

March 28, 1934.

This Order, when received, read:

Washington, D. C.
March 23, 1934.

just below the signature of Hugh S. Johnson, Administrator. Mr. Hess stated that there would be no objection to changing "Washington, D. C." to the customary "THE WHITE HOUSE". The change was accordingly made.

6653

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR

THE PHOTOGRAPHIC AND PHOTO FINISHING 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 Photographic and Photo Finishing 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; provided, however, that the provisions of Article IX, Section 3, insofar as they prescribe a waiting period between the filing with the Code Authority (i.e. actual receipt by the Code Authority) and the effective date of revised price lists or revised terms and conditions of sale be and they are hereby

stayed pending further order of the Administrator for Industrial Recovery.

Franklin D. Roosevelt

Approval Recommended:

Hugh S. Johnson
Administrator

THE WHITE HOUSE,
March 23, 1934.

6653

EXECUTIVE ORDER

AMENDMENTS TO THE CODE OF FAIR COMPETITION

for the

LUMBER AND TIMBER PRODUCTS INDUSTRIES

An application having been made by the Lumber Code Authority pursuant to and in full compliance with the provisions of Title I of the National Industrial Recovery Act, approved June 16, 1933, for amendment of the Code of Fair Competition for the Lumber and Timber Products Industries, as heretofore approved by me, and for the modification of my approval of said Code of Fair Competition accordingly, and hearings having been held thereon, and the Administrator having rendered his report recommending the granting of such application, which carries out the forest conservation provisions of Article X of said Code:

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 of the Administrator recommending the granting of the aforesaid application, and do order that the Code of Fair Competition for the Lumber and Timber Products Industries, as approved by me on August 19, 1933, be amended in accordance with the foregoing.

Franklin D. Roosevelt

Approval Recommended:

Hugh S. Johnson
Administrator

The White House
March 23, 1934.

6654

EXECUTIVE ORDER

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AMENDMENT OF SCHEDULE A, SUBDIVISION VII, OF THE CIVIL SERVICE RULES

By virtue of the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403, 404), paragraph two of subdivision VII of Schedule A of the Civil Service rules is hereby amended to read:

"2. One executive assistant to the Postmaster General, one special assistant to the Postmaster General, one assistant private secretary to the Postmaster General, one private secretary to the Executive Assistant to the Postmaster General, one private secretary or confidential clerk to the Solicitor of the Post Office Department, and one private secretary or confidential clerk to the purchasing agent of the Post Office Department."

This order has the effect of adding to the number of exempt positions under the Post Office Department, the positions of Assistant Private Secretary to the Postmaster General and Private Secretary to the Executive Assistant to the Postmaster General.

This order is issued upon the recommendation of the Postmaster General, with the concurrence of the Civil Service Commission.

Franklin D. Roosevelt

The White House,

March 27, 1934.

6655

EXECUTIVE ORDER

*******

CONTINUING THE FUNCTIONS OF THE EXECUTIVE COMMITTEE ON COMMERCIAL POLICY

WHEREAS Executive Order No. 6551 of March 23, 1934, establishes the office of Special Adviser to the President on Foreign Trade and designates the functions and duties to be performed by the head of said office pertaining to the promotion of foreign trade; and

WHEREAS it is desired that the provisions of the said Executive Order shall not interfere with the continuance of the functions now being exercised by the Executive Committee on Commercial Policy and that the Special Adviser shall cooperate with and, in the field of duties defined by the said Executive Order, supplement the work of the said Executive Committee on Commercial Policy;

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is hereby ordered that the said Executive Committee on Commercial Policy as established by the letter of November 11, 1933, from the President to the Secretary of State shall continue to exercise its present functions for the purpose of coordinating the commercial policy of the United States. The chairman of the said Committee shall be a representative of the Department of State who shall be chosen by the Secretary of State.

Franklin D Roosevelt

THE WHITE HOUSE,

March 27, 1934.

6656

DEPARTMENT OF STATE

DIVISION OF RESEARCH AND PUBLICATION

20/III/35

Mr. Brauner:

For file with the relevant papers.

C.W.

March 21/35

HA
RF

DEPARTMENT OF STATE

ASSISTANT SECRETARY

Mr. Carr

March 19, 1935.

HISTORICAL ADVISER
MAR 20 1935
DEPT. OF STATE

Dear Mr. Secretary:

Mr. Hunter Miller, Mr. Hengstler and I suggest that you sign this statement to be attached to Executive Order No. 6657 as an authoritative statement of the fact that the Order was never actually in operation having been superceded by another Order of the same date and bearing the number 6657-A.

DEPARTMENT OF STATE
MAR 20 1935
DIVISION OF
RESEARCH AND PUBLICATION

W. R. Carr

A-C WJC/RLdeL

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

**DEPARTMENT OF STATE**
**WASHINGTON**

Executive Order No. 6657, March 27, 1934, was signed by the President. There were, however, some changes which were necessary and some omissions to be inserted, and as a result the order was immediately superseded by Executive Order No. 6657-A of the same date, March 27, 1934.

Therefore, Executive Order No. 6657 was never actually in operation.

Cordell Hull

Secretary of State.

DEPARTMENT OF STATE

DIVISION OF RESEARCH AND PUBLICATION

HA 18/I/35

Mr. Miller:

Dear Cyril:

If you concur it is O.K. with me

C.W.

DEPARTMENT OF STATE

OFFICE OF THE HISTORICAL ADVISER

R/S

Mr Myers

Dear Cyril

8 Jan 1935

I shall concur in this if this is K with

DEPARTMENT OF STATE
JAN 18 1935
DIVISION OF
RESEARCH AND PUBLICATION

HISTORICAL ADVISER
JAN 18 193.
DEPT. OF STATE

ASSISTANT SECRETARY OF STATE
JAN 18 1935
MR CARR

DEPARTMENT OF STATE

DIVISION OF FOREIGN SERVICE ADMINISTRATION

Mr Miller (HA) I concur HCH
Mr Carr (AC) I concur. WLC,

January 17, 1935.

The President signed Executive Order of March, 1934 which was numbered 6657. Inasmuch as it was felt to be incomplete, the order was kept confidential and not promulgated, and the President signed a replace order No. 6657A of the same date.

Since the first order was signed it is understood we are compelled to keep it as of record, although never issued, and immediately superseded.

In order that there may be no confusion to persons subsequently examining the Executive Orders, it seems desirable that the appended statement of facts be signed by the Secretary and attached to No. 6657 and that the latter be released from the "confidential" file.

HCH,

FA:HCH:AT

DEPARTMENT OF STATE

DIVISION OF RESEARCH AND PUBLICATION

16/III/35

Mr. Brown:

Please see me.

E. W.

DEPARTMENT OF STATE

OFFICE OF THE HISTORICAL ADVISER

DEPARTMENT OF STATE
MAR 16 1935
DIVISION OF
RESEARCH AND PUBLICATION

March 16, 1935.

RP
Mr. Wyrne:

Dear Cyril:

I talked this morning with Mr. Hengstler regarding Executive Order No. 6657 of March 27, 1934, containing regulations for payment of losses due to appreciation of foreign currencies, et cetera. As you are well aware this order was superseded by Executive order No. 6657-A. Because of the superseding order distribution of No. 6657 was withheld. Mr. Hengstler said that there is no longer any reason for regarding No. 6657 as confidential and added that there is no occasion to trouble Mr. Carr in the matter.

Accordingly, I suggest that proper notation might be made to show that this order No. 6657 of March 27, 1934, is not deemed confidential.

Ave.

HA:HM:EM

EXECUTIVE ORDER

- - - - - -

REGULATIONS FOR PAYMENT OF LOSSES SUSTAINED BY OFFICERS, ENLISTED MEN, AND EMPLOYEES OF THE UNITED STATES IN FOREIGN COUNTRIES DUE TO APPRECIATION OF FOREIGN CURRENCIES IN THEIR RELATION TO THE AMERICAN DOLLAR

Pursuant to the authority vested in me by the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar and for other purposes," approved March 26, 1934, and in order to afford immediate relief, I prescribe the following temporary regulations, which shall apply to all officers, enlisted men, and employees of the United States while in service in foreign countries.

Definition

1. The words in the Act "while in service in foreign countries" shall be understood to mean (a) while employed in or on assignment or detail to a post of duty in a foreign country, (b) while en route through a foreign country or on a foreign vessel to or from such post, (c) while, during such assignment or detail abroad, on leave of absence with pay in a foreign country, (d) while traveling in foreign countries under official orders, or (e) while attached to and serving on board United States vessels stationed in foreign waters for not less than thirty consecutive days.

## Purpose of the Act

2. The purpose of the Act and these regulations is to provide for reimbursement to officers, enlisted men, and employees of the United States (hereinafter referred to as employees) for losses sustained from appreciation of foreign currencies in their relation to the American dollar.

## Method of Computation of Payment of Losses

3. (a) The loss above referred to is that sustained by the conversion into foreign currency of that portion of the employee's salary expended abroad. For purposes of these temporary regulations and until further regulations shall have been made, the proportion of the employee's salary so converted and expended shall be deemed to be 75% of his total net salary, except as provided in paragraphs (c) and (d) of this section.

(b) In addition to the foregoing, losses shall be deemed to have been incurred by conversion and expenditure abroad of all allowances, except as provided in paragraph (c) of this section.

(c) In case of employees serving under the War and Navy Departments (with the exception of military and naval attaches and other employees attached to their offices, who shall be governed by paragraphs (a) and (b) of this section), the loss by conversion into foreign currency shall be deemed to have been incurred on 80% of the total net pay and allowances.

(d) In case of employees traveling in foreign countries under official orders not employed in or on assignment or detail to a post of duty in a foreign country, no part of the employee's salary shall be deemed to be converted or expended abroad for the purposes of these regulations.

(e) In case of employees who sustained losses arising from the conversion of salaries or allowances (including those paid from fees either in foreign or American currency) during the period from July 15, 1933, to the effective date of this order, the losses sustained through conversion shall be calculated as provided in paragraphs (a), (b), (c) and (d) of this section. Claim for reimbursement for such loss shall be accompanied by the best evidence, available to the employee, of the rate at which conversion was made.

(f) As used in this section:

The term "net salary" means the base salary less any deduction for contribution to the retirement or other fund, or on account of percentage deductions in compensation.

The term "net pay and allowances" means the employee's full pay, including extra or additional pay, and all allowances (other than those furnished in kind) less deductions therefrom on account of allotments, fines and forfeitures, clothing, hospital, Civil Service Retirement Fund, percentage deductions in compensation, and other sundry checkages.

**Basic Exchange Rates for Computation of Losses**

4. For the basis of computation of losses as referred to in the foregoing Act, the following rates are prescribed as the basic rates for foreign currencies:

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| Albania | Gold fr. | 19.303 |
| Argentina | Peso | 29.529 |
| Austria | Schilling | 14.0177 |
| Belgium | Belga | 13.9315 |
| Bolivia | Boliviano | 36.5 |
| Brazil | Milreis | 7.8883 |
| Bulgaria | Lev | .7187 |
| Canada | Dollar | 93.5456 |
| Chile | Peso | 10.1827 |
| China | Yuan | 23.5143 |
| Colombia | Peso | 95.743 |
| Costa Rica | Colon | 25.00 |
| Cuba | Peso | 100.00 |
| Czechoslovakia | Koruna | 2.9631 |
| Danzig | Gulden | 19.4052 |
| Denmark | Krone | 22.6408 |
| Dominican Republic | Dollar | 100.00 |
| Ecuador | Sucre | 20.00 |
| Egypt | Pound | 428.6069 |
| El Salvador | Colon | 50.00 |
| Estonia | Kroon | 26.6161 |

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| Ethiopia | M. T. Dollar | 21.6288 |
| France | Franc | 3.9243 |
| France (Possessions) | | |
| Algiers | Franc | 3.9243 |
| Martinique | Franc | 3.9243 |
| Saigon | Franc | 3.9243 |
| Tahiti | Franc | 3.9243 |
| Tunis | Franc | 3.9243 |
| Finland | Markka | 2.0674 |
| Germany | Reichmark | 23.74 |
| Great Britain | Pound | 417.9441 |
| Great Britain (Possessions) | | |
| Aden | Rupee | 31.4953 |
| Australia | Pound | 346.1882 |
| Barbados | Dollar | 76.36 |
| Belize | Dollar | 100.00 |
| Colombo | Rupee | 31.5507 |
| Gibraltar | Pound | 423.4492 |
| Hamilton, Bermuda | Pound | 417.9441 |
| Hong Kong | Dollar | 25.8643 |
| India | Rupee | 31.1568 |
| Kingston, Jamaica | Pound | 417.9441 |
| Lagos | Pound | 422.1153 |
| Malta | Pound | 423.0069 |
| Nassau | Pound | 417.9441 |
| Nairobi | Pound | 423.2107 |
| Newfoundland | Dollar | 100.00 |
| New Zealand | Pound | 357.9337 |
| Penang | Dollar | 48.2202 |
| Singapore | Dollar | 48.2202 |
| Trinidad | Dollar | 100.00 |
| Greece | Drachma | 1.0784 |
| Guatemala | Quetzal | 100.00 |
| Haiti | Gourde | 20.00 |
| Honduras | Lempira | 50.00 |
| Hungary | Pengo | 17.4601 |
| Iraq | Pound | |
| Irish Free State | Pound | 417.9441 |
| Italy | Lira | 5.1804 |

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| Japan | Yen | 39.7627 |
| Latvia | Lat | 19.2915 |
| Liberia | Pound | 399.00 |
| Lithuania | Litas | 9.9969 |
| Luxembourg | Franc | 2.69 |
| Mexico | Peso | 35.5555 |
| Morocco | Franc | 3.84 |
| Netherlands | Florin | 40.2597 |
| Netherlands (Possessions) | | |
| Surabaya | Florin | 40.2597 |
| Curacao | Florin | 40.2597 |
| Batavia | Florin | 40.2597 |
| Medan | Florin | 40.2597 |
| Nicaragua | Cordoba | 100.00 |
| Norway | Krone | 22.4995 |
| Palestine | Pound | |
| Panama | Balboa | 100.00 |
| Paraguay | Peso | 1.52 |
| Persia | Rial | 5.539 |
| Peru | Sol | 29.723 |
| Poland | Zloty | 11.1939 |
| Portugal | Escudo | 3.8608 |
| Portugal (Possessions) | | |
| Lourenco Marques | Pound | 478.24 |
| Rumania | Leu | .5957 |
| Siam | Baht | 37.78 |
| Spain | Peseta | 9.3863 |
| Switzerland | Gold franc | 19.3961 |

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| Sweden | Krona | 22.8105 |
| Syria | Syrian Lb. | 78.54 |
| Turkey | Lira | 47.1906 |
| Union So.Africa | Pound | 463.2315 |
| Uruguay | Peso | 59.1743 |
| U. S. S. R. | Rouble | |
| Venezuela | Bolivar | 18.71 |
| Yugoslavia | Dinar | 1.6923 |
| Yunnanfu | Piaster | 38.00 |

Method of Payment to Employees

5. From and after the effective date of this order, each employee shall be entitled to receive in foreign currency such amount as he would have received by converting into such foreign currency, at the basic rates specified in section 4, that portion of his allowances and net salary deemed to have been converted as provided by section 3.

Authority to Modify

6. The foregoing regulations are temporary and subject to change hereafter, and for the purpose of further adjustment future orders or regulations may, with respect to compensation for exchange losses, be retroactive to the date of this order or to July 15, 1933.

Effective Date

7. This order shall take effect as of April 1, 1934.

Franklin D. Roosevelt

The White House,

March 27, 1934.

6657

EXECUTIVE ORDER

---

REGULATIONS FOR PAYMENT OF LOSSES SUSTAINED BY OFFICERS, ENLISTED MEN, AND EMPLOYEES OF THE UNITED STATES IN FOREIGN COUNTRIES DUE TO APPRECIATION OF FOREIGN CURRENCIES IN THEIR RELATION TO THE AMERICAN DOLLAR

Pursuant to the authority vested in me by the act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and in order to afford immediate relief, I prescribe the following temporary regulations, which shall apply to all officers, enlisted men, and employees of the United States while in service in foreign countries.

Definition

1. The words in the act "while in service in foreign countries", for the purpose of these regulations, shall be understood to mean (a) while employed in or on assignment or detail to a post of duty in a foreign country, (b) while en route through a foreign country or on a foreign vessel to or from such post, (c) while, during such assignment or detail abroad, on leave of absence with pay in a foreign country, (d) while traveling in foreign countries under official orders, or (e) while attached to and serving on board United States vessels stationed in foreign waters for not less than thirty consecutive days.

Purpose of Regulations

2. The purpose of these regulations is to provide for reimbursement to officers, enlisted men, and employees of the United States (hereinafter referred to as employees), for losses sustained from appreciation of foreign currencies in their relation to the American dollar, as authorized under the aforesaid act.

Method of Computation of Payment of Losses

3.(a) The loss above referred to is that calculated on the basis of conversion into foreign currency of the employee's net salary and net allowances, except as provided in paragraphs (b) and (c) of this section.

(b) In case of employees serving under the War and Navy Departments (with the exception of military and naval attachés and other employees attached to their offices, who shall be governed by paragraph (a) of this section), the loss is that calculated on the basis of conversion into foreign currency of the employee's net pay and allowances.

(c) In case of employees traveling in foreign countries under official orders, not employed in or on assignment or detail to a post of duty in a foreign country, no part of the employee's salary shall be included in the loss referred to for the purposes of these regulations.

(d) In case of employees who sustained losses arising from the conversion of salaries or allowances (including those paid from fees either in foreign or American currency) during the period from July 15, 1933, to the effective date of this order, the losses shall be calculated as provided in paragraphs

(a), (b), and (c) of this section. Claim for reimbursement for such loss shall be accompanied by the best evidence, available to the employee, of the rate at which conversion was made.

(e) As used in this section:

The term "net salary" means the base salary less any deduction for contribution to the retirement or other fund, or on account of percentage deductions in compensation.

The term "net allowances" means allowances paid to the employee.

The term "net pay and allowances" means the employee's full pay, including extra or additional pay, and all allowances (other than those furnished in kind) less deductions therefrom on account of allotments, fines and forfeitures, clothing, hospital, Civil Service Retirement Fund, percentage deductions in compensation, and other sundry checkages.

Basic Exchange Rates for Computation of Losses

4. For the basis of computation of losses as referred to in the aforesaid act, the following rates are prescribed as the basic rates for foreign currencies:

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| Albania | Gold Fr. | 19.303 |
| Argentina | Peso | 29.529 |
| Austria | Schilling | 14.0177 |
| Belgium | Belga | 13.9315 |
| Bolivia | Boliviano | 36.5 |
| Brazil | Milreis | 7.8883 |
| Bulgaria | Lev | .7187 |
| Canada | Dollar | 93.5456 |
| Chile | Peso | 10.1827 |
| China | Yuan | 23.5143 |
| Colombia | Peso | 95.743 |
| Costa Rica | Colon | 25.00 |
| Cuba | Peso | 100.00 |
| Czechoslovakia | Koruna | 2.9631 |
| Danzig | Gulden | 19.4052 |
| Denmark | Krone | 22.6408 |
| Dominican Republic | Dollar | 100.00 |
| Ecuador | Sucre | 20.00 |
| Egypt | Pound | 428.6069 |
| El Salvador | Colon | 50.00 |
| Estonia | Kroon | 26.6161 |
| Ethiopia | M. T. Dollar | 21.6288 |
| France | Franc | 3.9243 |

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| France (Possessions) | | |
| Algiers | Franc | 3.9243 |
| Martinique | Franc | 3.9243 |
| Saigon | Franc | 3.9243 |
| Tahiti | Franc | 3.9243 |
| Tunis | Franc | 3.9243 |
| Finland | Markka | 2.0674 |
| Germany | Reichmark | 23.74 |
| Great Britain | Pound | 417.9441 |
| Great Britain (Possessions) | | |
| Aden | Rupee | 31.4953 |
| Australia | Pound | 346.1882 |
| Barbados | Dollar | 76.36 |
| Belize | Dollar | 100.00 |
| Colombo | Rupee | 31.5507 |
| Gibraltar | Pound | 423.4492 |
| Hamilton, Bermuda | Pound | 417.9441 |
| Hong Kong | Dollar | 25.8643 |
| India | Rupee | 31.1568 |
| Kingston, Jamaica | Pound | 417.9441 |
| Lagos | Pound | 422.1153 |
| Malta | Pound | 423.0069 |
| Nassau | Pound | 417.9441 |
| Nairobi | Pound | 423.2107 |
| Newfoundland | Dollar | 100.00 |
| New Zealand | Pound | 357.9337 |
| Penang | Dollar | 48.2202 |
| Singapore | Dollar | 48.2202 |
| Trinidad | Dollar | 100.00 |
| Greece | Drachma | 1.0784 |
| Guatemala | Quetzal | 100.00 |
| Haiti | Gourde | 20.00 |
| Honduras | Lempira | 50.00 |
| Hungary | Pengo | 17.4601 |
| Iraq | Pound | 415.5385 |
| Irish Free State | Pound | 417.9441 |
| Italy | Lira | 5.1804 |
| Japan | Yen | 39.7627 |
| Latvia | Lat | 19.2915 |
| Liberia | Pound | 399.00 |
| Lithuania | Litas | 9.9969 |
| Luxemburg | Franc | 2.69 |

| COUNTRY | MONETARY UNIT | BASIC RATE |
|---|---|---|
| Mexico | Peso | 35.5555 |
| Morocco | Franc | 3.84 |
| Netherlands | Florin | 40.2597 |
| Netherlands (Possessions) | | |
| Surabaya | Florin | 40.2597 |
| Curaçao | Florin | 40.2597 |
| Batavia | Florin | 40.2597 |
| Medan | Florin | 40.2597 |
| Nicaragua | Cordoba | 100.00 |
| Norway | Krone | 22.4995 |
| Palestine | Pound | 414.0787 |
| Panama | Balboa | 100.00 |
| Paraguay | Peso | 1.52 |
| Persia | Rial | 5.539 |
| Peru | Sol | 29.723 |
| Poland | Zloty | 11.1939 |
| Portugal | Escudo | 3.8608 |
| Portugal (Possessions) | | |
| Lourenço Marques | Pound | 478.24 |
| Rumania | Leu | .5957 |
| Siam | Baht | 37.78 |
| Spain | Peseta | 9.3863 |
| Switzerland | Gold franc | 19.3961 |
| Sweden | Krona | 22.8103 |
| Syria | Syrian Lb. | 78.54 |
| Turkey | Lira | 47.1906 |
| Union So. Africa | Pound | 463.2315 |
| Uruguay | Peso | 59.1745 |
| U. S. S. R. | Rouble | 51.74 |
| Venezuela | Bolivar | 18.71 |
| Yugoslavia | Dinar | 1.6923 |
| Yunnanfu | Piaster | 38.00 |

Method of Payment to Employees

5. From and after the effective date of this order, each employee shall be entitled to receive in foreign currency such amount as he would have received by converting into such foreign currency, at the basic rates specified in section 4, his net salary and net allowances, or his net pay and allowances, as provided in section 3.

Authority to Modify

6. The foregoing regulations are temporary and subject to change hereafter, and for the purpose of further adjustment future orders or regulations may, with respect to compensation for exchange losses, be retroactive to the date of this order or to July 15, 1933.

Effective Date

7. This order shall take effect as of April 1, 1934.

Franklin D Roosevelt

THE WHITE HOUSE,

March 27, 1934.

6657-A

EXECUTIVE ORDER

CODE OF FAIR COMPETITION

FOR THE

SHOE REBUILDING 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 Shoe Rebuilding 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 condition: that the provisions of Article VI, Section 6, subsection (i), be stayed until the Administrator, after further study and a public hearing, shall order otherwise.

Franklin D. Roosevelt

Approval Recommended:

Hugh S. Johnson

Administrator

The White House,
March 27, 1934.

6658

# EXECUTIVE ORDER

## CODE OF FAIR COMPETITION

## FOR THE

## INFANTS' AND CHILDREN'S WEAR 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 Infants' and Children's Wear Industry, and hearings having been held thereon and the Administrator having rendered his report containing an analysis of this Code of Fair Competition, together with his recommendations and findings with respect thereto, and the Administrator having found that this Code of Fair Competition complies in all respects with the pertinent provisions of Title I of said Act and that said requirements of clauses (1) and (2) 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 this Code of Fair Competition be and it is hereby approved, subject to the following conditions:

1. That any manufacturer of infants' and children's wear as defined in this Code and also included in any other Code of Fair Competition heretofore approved, except such manufacturers of infants' and children's wear as are excluded from the jurisdiction of this Code under Article II, Section 2 thereof, shall have the privilege of electing to operate under this Code upon the condition that such manufacturer shall substitute for the wage and hour provisions of this Code the wage and hour provisions of such other Code of Fair Competition and shall conform with such wage and hour provisions, and provided further that such manufacturer shall agree to such other conditions as the Administrator may prescribe.

For the purpose of making effective such election, any manufacturer entitled thereto as herein provided, is hereby granted an exemption and exception from such other Code of Fair Competition, and any manufacturer of Infants' and Children's Wear who shall make such election shall be subject to this Code and shall be considered a member of the Industry as defined in this Code and shall have the privilege of participating in the selection of the Code Authority as provided in this Code and in sharing in the benefits of the activities of this Code Authority, and shall contribute his reasonable and proportionate share of the expenses of this Code Authority.

All manufacturers of infants' and children's bathrobes who were members of the Robe Industry Association of America, Inc., up to and including March 13, 1934, shall be governed by the Code of Fair Competition for the Robe and Allied Products Industry.

All manufacturers of infants' and children's bathrobes who were members of the United Infants' and Children's Wear Association up to

and including March 13, 1934, shall be governed by the Code of Fair Competition for the Infants' and Children's Wear Industry as to the manufacture of infants' and children's bathrobes.

All manufacturers of infants' and children's bathrobes who were not members of either of the Associations above named as of March 13, 1934, shall, within forty-five (45) days from the effective date of the Code of Fair Competition for the Infants' and Children's Wear Industry, have the right to elect to be governed by the Code of Fair Competition for the Infants' and Children's Wear Industry, or the Code of Fair Competition for the Robe and Allied Products Industry, insofar as their production of infants' and children's bathrobes is concerned. Such election shall be submitted in writing to both the Robe and Allied Products Code Authority, Inc., and the Code Authority for the Infants' and Children's Wear Industry. Any manufacturer not making such election within the forty-five (45) day period as hereinabove specified, shall be deemed to have elected to be governed by the Code of Fair Competition for the

Robe and Allied Products Industry, and shall have no further right to elect.

All manufacturers of infants' and children's bathrobes who were not members of either association above named as of March 13, 1934, who commence the manufacture of such products after the effective date of the Code of Fair Competition for the Infants' and Children's Wear Industry, may within fifteen (15) days after commencing such manufacture of infants' and children's bathrobes, elect to be governed by the Code of Fair Competition for the Infants' and Children's Wear Industry, or the Code of Fair Competition for the Robe and Allied Products Industry. Any manufacturer not making such election within the fifteen (15) day period as hereinabove specified shall be deemed to have elected to be governed by the Code of Fair Competition for the Robe and Allied Products Industry, and shall have no further right to elect.

Each of the above mentioned associations shall forthwith submit to the Administrator certified copies of the list of their members manufacturing infants' and children's bathrobes prior to

March 13, 1934.

Anything to the contrary herein notwithstanding, any manufacturer of blazers, sport coats, jersey cloth suits, Eton and Rugby suits, boys' overcoats, sizes one to six, boys' snow suits and boys' three piece legging sets who also manufacture other items of infants' and children's wear as defined in this Code, and who shall have elected in accordance with the provisions hereinabove set forth, to operate under this Code shall not be bound by any other wage provisions of the Code of Fair Competition for the Men's Clothing Industry except the minimum wage of forty ($.40) cents per hour.

2. That all manufacturers of infants' and children's wear as defined in this Code who also manufacture wearing apparel included in the Code of Fair Competition for the Cotton Garment Industry, but whose production of infants' and children's wear, excepting infants' and children's bathrobes, as defined in this Code is 80% or more of their total production, shall be governed by the provisions of this Code under the Code Author-

ity constituted thereby; that all manufacturers of wearing apparel included in the Code of Fair Competition for the Cotton Garment Industry, who also manufacture infants' and children's wear as defined in this Code to the extent of 20% or less of their total production of wearing apparel shall be governed by the provisions of the Code of Fair Competition for the Cotton Garment Industry, under the Code Authority constituted thereby; that all manufacturers of infants' and children's wear defined in this Code to the extent of less than 80% but more than 20% of their total production, who also manufacture wearing apparel governed by the Code of Fair Competition for the Cotton Garment Industry, shall elect to operate under this Code, or under the Code of Fair Competition for the Cotton Garment Industry.

3. That all manufacturers of infants' and children's wear as defined in Article II, Section 2 of this Code whether operating under the provisions of this Code or under the provisions of any other Code of Fair Competition heretofore approved and all manufacturers of girls' coats, sized to

and including age fourteen, and commonly made available to the public through infants' and children's departments of Department Stores and Specialty Shops as children's coats, shall be subject to the provisions of Article IX of this Code and for such purpose shall be deemed 'members of the Industry'.

All manufacturers of infants' and children's bathrobes, however, shall conform to the trade practice provisions of the Code of Fair Competition for the Robe and Allied Products Industry as heretofore approved on January 16, 1934, and all amendments to said trade practice provisions as may hereafter be approved; due notice of hearings, thereon, however, shall be sent to the Code Authority for the Infants' and Children's Wear Industry.

Approval recommended:

Administrator

THE WHITE HOUSE

Mar. 27, 1934.

6659

# EXECUTIVE ORDER

## AUTHORIZING THE HEADS OF DEPARTMENTS, INDEPENDENT ESTABLISHMENTS, AND EMERGENCY AGENCIES TO MAKE CERTAIN EXPENDITURES OUT OF ALLOCATIONS FROM THE APPROPRIATION FOR NATIONAL INDUSTRIAL RECOVERY

By virtue of and pursuant to the authority vested in me by the National Industrial Recovery Act of June 16, 1933 (ch. 90, 48 Stat. 195), and the Fourth Deficiency Act, fiscal year 1933, of June 16, 1933 (ch. 100, 48 Stat. 274, 275), the heads of all emergency agencies established under the authority of the said National Industrial Recovery Act and operating under funds allocated to them by the President from the appropriation for National Industrial Recovery contained in the said Fourth Deficiency Act, together with the heads of all executive departments and other independent establishments in so far as they operate under funds allocated to them by the President from the said appropriation, are hereby authorized, out of funds so allocated, to make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere, for law books and books of reference, for paper, printing, and binding, and for the purchase, maintenance, and operation of passenger-carrying vehicles), as they may deem necessary to effectuate the purposes for which the said funds are allocated: Provided, that the purchase, maintenance, and operation of motor-propelled passenger-carrying vehicles subsequent to the date of this order shall be subject to the provisions of section 3 of the act of March 3, 1933 (ch. 212, 47 Stat. 1489, 1513).

All such expenditures made or incurred prior to the date of this order are hereby confirmed and ratified.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 27, 1934.

6660

EXECUTIVE ORDER

VETERANS REGULATION NO. 1 (d)

ENTITLEMENT TO PENSION

By virtue of the authority vested in me under Sections 1 and 4 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 Congress), the following regulation amending Veterans Regulation No. 1 (a) is hereby prescribed:

I. Veterans Regulation No. 1 (a) is hereby amended by adding a new part (V) to read as follows:

PART V

I. In all cases disallowed by the Special Boards of Review authorized under Section 20 of Public Law Numbered 78, 73d Congress, 75 per centum of the payments being made on March 19, 1933, shall be paid from the date of this regulation to the date of decision by the Board of Veterans' Appeals: Provided, That the Board of Veterans' Appeals is hereby authorized and directed to review all such cases at the earliest practicable date: Provided further, That the provisions of Veterans Regulation No. 2 (a), Part III, shall be generally applicable for such review, and particularly the Board of Veterans' Appeals shall determine on all available evidence the question of whether service connection shall be granted under the provisions of Veterans Regulations issued pursuant to Public No. 2, 73d Congress, and notwithstanding the evidence may not clearly demonstrate the existence of the disease or any specific clinical findings within the terms of or period prescribed by Veterans Regulation No. 1 (a), Part I, Paragraph I (c)

issued under Public No. 2, 73d Congress, shall in their decisions resolve all reasonable doubts in favor of the veteran, the burden of proof in such cases being on the Government: Provided further, That the Administrator of Veterans' Affairs is hereby authorized and directed to develop such cases by correspondence and investigation to the end that all available material evidence shall be secured and made a part of the claim before decision by the Board of Veterans' Appeals is rendered: Provided further, That in those cases where, as a result of the review, service connection is granted by the Board of Veterans' Appeals, pension shall be payable, effective July 1, 1933, at the rate provided in Veterans Regulation No. 1 (a), Part I, as amended, subject to deduction of the amount of pension paid for any period subsequent to June 30, 1933: Provided further, That the provisions of Veterans Regulations promulgated under Public Law Numbered 2, 73d Congress, pertaining to Federal employees, hospitalized cases and beneficiaries residing outside the continental limits of the United States, shall be applicable to those persons entitled to pension under the foregoing provisions of this paragraph.

Franklin D. Roosevelt

FRANKLIN D. ROOSEVELT.

The White House
March 27, 1934.

DONE IN TRIPLICATE

(No. 6661 )

EXECUTIVE ORDER

VETERANS REGULATION NO. 12 (a)

PRESUMPTION OF ENTITLEMENT TO PENSIONS FOR SPANISH-WAR VETERANS AND CERTAIN WIDOWS, CHILDREN AND DEPENDENT PARENTS OF DECEASED WORLD WAR VETERANS

By virtue of the authority vested in me under Sections 1 and 4 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 Congress), the following regulation amending Veterans Regulation No. 12 is hereby prescribed:

1. Veterans Regulation No. 12 is hereby amended by adding a new paragraph (II) to read as follows:

II. (a) Any veteran of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, who on or before March 19, 1933, was rated disabled as the result of wound, injury or disease under general pension laws in effect on or before March 19, 1933, and who was on the rolls on March 19, 1933, either under the general pension laws or public laws granting service pensions, shall from the date of this regulation and without further application be entitled to receive pension at the rate prescribed by Veterans Regulation No. 1(a), Part I, and its amendments, and for this purpose the last rating for service connected disability in effect on or prior to March 19, 1933, shall be accepted.

(b) Any veteran of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, who was on the rolls on March 19, 1933, and whose pension was reduced or discontinued as the result of Public Law Numbered 2, 73d Congress, shall from the date of this regulation to the date of decision by the Board of Veterans' Appeals and without further application, be entitled to receive 75 per centum of the payments being made on March 19, 1933: Provided, That

the Board of Veterans' Appeals is hereby authorized and directed to review all such cases at the earliest practicable date: Provided further, That the provisions of Veterans Regulation No. 2(a), Part III, shall be generally applicable for such review, and particularly the Board of Veterans' Appeals shall determine on all available evidence the question of whether service connection shall be granted under the provisions of Veterans Regulations issued pursuant to Public Law Numbered 2, 73d Congress, and notwithstanding the evidence may not clearly demonstrate the existence of the disease or any specific clinical findings within the terms of or period prescribed by Veterans Regulation No. 1, Part I, subparagraph (c), issued under Public Law Numbered 2, 73d Congress, shall in their decisions resolve all reasonable doubts in favor of the veteran, the burden of proof in such cases being on the Government: Provided further, That the Administrator of Veterans' Affairs is hereby authorized and directed to develop such cases by correspondence and investigation to the end that all available material evidence shall be secured and made a part of the claim before decision by the Board of Veterans' Appeals is rendered: Provided further, That this paragraph shall not apply to any case where the requirements pertaining to honorable discharge, misconduct, participation in, delimiting dates of, or period or length of service during the Spanish-American War, Boxer Rebellion or Philippine Insurrection, as prescribed under the regulations promulgated pursuant to Public Law Numbered 2, 73d Congress, are not met: Provided further, That in those cases where, as the result of review, war time service connection is granted by the Board of Veterans' Appeals under Veterans Regulation No. 1(a) or Veterans Regulation No. 12, paragraph I, or this paragraph, pension shall be payable

effective July 1, 1933, at the rates provided by Veterans Regulation No. 1(a), Part I, and its amendments subject to deduction of the amount of pension paid for any period subsequent to June 30, 1933: Provided further, That the provisions of the regulations promulgated under Public Law Numbered 2, 73d Congress, pertaining to Federal employees, hospitalized cases, and beneficiaries residing outside the continental limits of the United States, shall be applicable to those persons entitled to pension under the foregoing provisions of this subparagraph.

Franklin D. Roosevelt

FRANKLIN D. ROOSEVELT.

The White House
March 27, 1934

DONE IN TRIPLICATE

(No. 6662 )

EXECUTIVE ORDER

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EXEMPTION OF LUTHER L. BROWNING FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS section 204 of the act of June 30, 1952 (ch. 514, 47 Stat. 582, 404; 5 USC., sec. 692b), provides:

> On and after July 1, 1952, 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 Luther L. Browning, linotype machinist in charge, Government Printing Office, 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 April 1, 1955;

NOW, THEREFORE, by virtue of the authority vested in me by the aforesaid statute, I do hereby exempt Luther L. Browning from the provisions thereof and continue him in the service until April 1, 1955.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 31, 1954.

6663

EXECUTIVE ORDER

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WAIVER OF CIVIL-SERVICE RULE IX TO PERMIT THE REINSTATEMENT OF MISS IRENE C. CLAVELOUX IN THE GENERAL ACCOUNTING OFFICE

By virtue of the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403,404), it is hereby ordered that the time limit prescribed by civil-service rule IX be waived to permit the reinstatement of Miss Irene C. Claveloux to a position in the General Accounting Office.

Franklin D. Roosevelt

The White House,

March 31, 1934.

6664

EXECUTIVE ORDER

WAIVER OF CIVIL-SERVICE RULE II TO PERMIT THE APPOINTMENT OF DR. JOHN BRUCE ARNOLD IN THE TREASURY DEPARTMENT

By virtue of and pursuant to the authority vested in me by the provisions of the last sentence of the eighth paragraph of subdivision second of section 2 of the Civil Service Act of January 16, 1883 (ch. 27, 22 Stat. 403, 404), it is hereby ordered that Dr. John Bruce Arnold may be appointed as acting assistant surgeon, United States Public Health Service, Treasury Department, without compliance with the requirements of civil-service rule II.

Dr. Arnold has been continuously on duty abroad with the Public Health Service since February 1, 1921, and was therefore exempt from civil-service requirements. Due to recent curtailment of force, Dr. Arnold was transferred to a similar position in the United States requiring civil-service eligibility. His services can be used to advantage on account of his experience.

This order is recommended by the Secretary of the Treasury.

Franklin D. Roosevelt

THE WHITE HOUSE,

March 31, 1934.

6665

EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 4980, OF OCTOBER 20, 1928,

WITHDRAWING PUBLIC LANDS

COLORADO

By virtue of and pursuant to 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 ordered that Executive Order No. 4980, dated October 20, 1928, withdrawing the following-described public lands in Colorado, be, and it is hereby, revoked:

New Mexico Principal Meridian

T. 37 N., R. 19 W.

It is further ordered, pursuant to Public Resolution 85, approved June 12, 1930 (ch. 471, 46 Stat. 580), that, subject to valid rights and the provisions of existing withdrawals, the public lands in said township shall be opened only to entry under the homestead or desert-land laws by qualified ex-service men for whose service recognition is granted by said resolution, under the terms and conditions of said resolution and the regulations issued thereunder, for a period of 91 days beginning with the date of the official filing of the plats of resurvey of said township, and thereafter to appropriation by the general public under any public-land law applicable thereto.

Subsequent to the date hereof and prior to the date of restoration to general disposition as herein provided, no right may be acquired to such lands by settlement in advance of entry or otherwise except strictly in accordance with the provisions of this order.

THE WHITE HOUSE,
April ~~March~~ 5, 1934.

Franklin D. Roosevelt

6666

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LANDS FOR RESURVEY

COLORADO

By virtue of and pursuant to 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 the public lands in township 1 south, range 82 west of the sixth principal meridian, Colorado, be, and they are hereby, withdrawn from settlement, location, sale, or entry, 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 act of Congress.

Franklin D Roosevelt

THE WHITE HOUSE,

April March 5, 1934.

6667

EXECUTIVE ORDER

VETERANS REGULATION NO. 1 (e)

ENTITLEMENT TO PENSION

By virtue of the authority vested in me under Sections 1 and 4 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 Congress), the following regulation amending Veterans Regulation No. 1 (d) is hereby prescribed:

1. Veterans Regulation No. 1 (d) is hereby cancelled effective March 28, 1934.

Franklin D. Roosevelt

FRANKLIN D. ROOSEVELT.

The White House

April 6, 1934.

DONE IN TRIPLICATE.

(No. 6668 )

EXECUTIVE ORDER

VETERANS REGULATION NO. 12 (b)

PRESUMPTION OF ENTITLEMENT TO PENSIONS FOR SPANISH-WAR VETERANS AND CERTAIN WIDOWS, CHILDREN AND DEPENDENT PARENTS OF DECEASED WORLD WAR VETERANS

By virtue of the authority vested in me under Sections 1 and 4 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 Congress), the following regulation amending Veterans Regulation No. 12 (a) is hereby prescribed:

1. Veterans Regulation No. 12 (a) is hereby cancelled effective March 28, 1934.

Franklin D. Roosevelt

FRANKLIN D. ROOSEVELT.

The White House

April 6, 1934.

DONE IN TRIPLICATE.

(No. 6669 )

EXECUTIVE ORDER

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TRANSFER OF FUNCTIONS OF THE VETERANS' ADMINISTRATION PERTAINING TO CIVIL SERVICE RETIREMENT ACTIVITIES TO THE CIVIL SERVICE COMMISSION

WHEREAS section 16 of the act of March 3, 1933 (ch. 212, 47 Stat. 1517), provides for reorganizations within the executive branch of the Government, requires the President to investigate and determine what reorganizations are necessary to effectuate the purposes of the act, and authorizes the President to make such reorganizations by Executive order; and

WHEREAS after investigation I find and declare that the transfer to the United States Civil Service Commission of the functions of administration pertaining to the retirement of civil employees of the Government now vested in the Veterans' Administration would be in the public interest and would effectuate the purposes of said section 16;

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the aforesaid section 16 of the act of March 3, 1933, it is ordered that the duties, powers, and functions now vested in the Veterans' Administration pertaining to the administration of civil service retirement activities under the Civil Service Retirement Act of May 29, 1930 (ch. 349, 46 Stat. 468), as amended, Executive Order No. 5398 of July 21, 1930, and the Canal Zone Retirement Act of March 2, 1931 (ch. 375, 46 Stat. 1471), as amended, be, and they are hereby, transferred to and vested in the United States Civil Service Commission.

All personnel, records, files, and property, including office furniture and equipment, of the Veterans' Administration employed or used in the discharge of the duties, powers, and functions transferred by this order are hereby transferred to the Civil Service Commission.

The unexpended balances of appropriations and/or allotments of appropriations now, or which may become, available to the Veterans' Administration for the performance of the duties, powers, and functions transferred by this order shall be transferred to the Civil Service Commission to such extent as the Director of the Bureau of the Budget may deem necessary, and any remaining balance shall, in accordance with law, be impounded and returned to the Treasury.

This order will become effective in accordance with the provisions of section 1 of title III of the act of March 20, 1933 (ch. 3, 48 Stat. 16): Provided, That in case it shall appear to the President that the interests of economy require that the transfer be delayed beyond the date this order is to become effective, he may, in his discretion, fix a later date therefor, and he may for like cause defer such date from time to time.

Franklin D. Roosevelt

DONE IN TRIPLICATE.

THE WHITE HOUSE,

April 7, 1934.

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