

EXECUTIVE ORDER

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ADMINISTRATION OF THE NATIONAL INDUSTRIAL  
RECOVERY ACT

By virtue of the authority vested in me by the act of Congress entitled "AN ACT To encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes", approved June 16, 1933 (Public, No. 67, 73d Cong.), and in order to effect the purposes of that act, it is hereby ordered that--

(1) Contracts for Supplies. Every contract entered into within the limits of the United States (by which is meant the 48 States of the Union, the District of Columbia, the Territories of Hawaii and Alaska, the Panama Canal Zone, Puerto Rico, and the Virgin Islands) by the United States or any of its agencies or instrumentalities for supplies mined, produced, or manufactured in the United States as contemplated by section 2, title III, of the act approved March 3, 1933, entitled "AN ACT Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes" (Public, No. 428, 72d Cong.), except as set forth in the proviso under paragraph (a) below, shall provide and require that:

(a) The contractor shall comply with all provisions of the applicable approved code of fair competition for the trade or industry or subdivision thereof concerned, or, if there be no approved code of fair competition for the trade or industry or subdivision thereof concerned, then with the provisions of the President's Reemployment Agreement promulgated under authority of section 4(a) of the foregoing act, or any amendment thereof, without regard to whether the contractor is himself a party to such code or agreement:

Provided, That where supplies are purchased that are not mined, produced, or manufactured in the United States the special or general code of fair practice shall apply to that portion of the contract executed within the United States.

(b) If the contractor fails to comply with the foregoing provision, the Government may by written notice to the contractor terminate the contractor's right to proceed with the contract, and purchase in the open market the undelivered portion of the supplies covered by the contract, and the contractor and his sureties shall be liable to the Government for any excess cost occasioned the Government thereby.

(2) Disbursing Officers. No disbursing officer shall be held liable for any payment made under the provisions of the foregoing act, or any Executive order issued under authority of that act, or for the unobligated balance of any overpayment involved.

THE WHITE HOUSE,

August 10, 1933.

