

tion issued under this chapter; and each agreement, code of fair competition, or license approved, prescribed, or issued under this chapter shall contain an express provision to that effect. (June 16, 1933, c. 90, Title I, § 10, 48 Stat. 200.)

Duration of section, see section 702 (c) of this title.

§ 711. **Separability clause.** If any provision of this chapter or the application thereof to any person or circumstances, is held invalid, the remainder of the chapter, and the application of such provision to other persons or circumstances, shall not be affected thereby. (June 16, 1933, c. 90, Title III, § 303, 48 Stat. 211.)

§ 712. **Short title.** This chapter may be cited as the "National Industrial Recovery Act." (June 16, 1933, c. 90, Title III, § 304, 48 Stat. 211.)

Duration of chapter, see section 702 (c) of this title.

#### Chapter 16.—FEDERAL EMERGENCY RELIEF ACT OF 1933

Sec.

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**Section 721. Declaration of emergency.** The Congress hereby declares that the present economic depression has created a serious emergency, due to widespread unemployment and increasing inadequacy of State and local relief funds, resulting in the existing or threatened deprivation of a considerable number of families and individuals of the necessities of life, and making it imperative that the Federal Government cooperate more effectively with the several States and Territories and the District of Columbia in furnishing relief to their needy and distressed people. (May 12, 1933, c. 30, § 1, 48 Stat. 55.)

§ 722. **Allocation of funds of Reconstruction Finance Corporation to Federal Emergency Relief Administrator; approval of applications for loans by Administrator.** (a) The Reconstruction Finance Corporation is authorized and directed to make available out of the funds of the Corporation not to exceed \$500,000,000, in addition to the funds authorized under section 605a of this title, for expenditure under the provisions of this chapter upon certification by the Federal Emergency Relief Administrator provided for in section 723 of this title.

(b) The amount of notes, debentures, bonds, or other such obligations which the Reconstruction Finance Corporation is authorized and empowered under section 609 of this title to have outstanding at any one time is increased by \$500,000,000: *Provided*, That no such additional notes, debentures, bonds, or other such obligations authorized by this subsection shall be issued except at such times and in such amounts as the President shall approve.

(c) After the expiration of ten days after the date upon which the Federal Emergency Relief Administrator has qualified and has taken office, no application shall be approved by the Reconstruction Finance Corporation under the provisions of section 605a of this title, and the Federal Emergency Relief Administrator shall have access to all files and records of the Reconstruction Finance Corporation relating to the administration of funds under said section 605a. At the expiration of such ten-day period, the unexpended and unobligated balance of the funds authorized un-

der said section 605a shall be available for the purposes of this chapter. (May 12, 1933, c. 30, § 2, 48 Stat. 55.)

Additional appropriation, see section 411a of Title 40.

§ 723. **Federal Emergency Relief Administration—(a) Creation; appointment of Administrator; compensation; duration of Administration.** There is hereby created a Federal Emergency Relief Administration, all the powers of which shall be exercised by a Federal Emergency Relief Administrator (referred to in this chapter as the "Administrator") to be appointed by the President, by and with the advice and consent of the Senate. The Administrator shall receive a salary to be fixed by the President at not to exceed \$10,000, and necessary traveling and subsistence expenses within the limitations prescribed by law for civilian employees in the executive branch of the Government. The Federal Emergency Relief Administration and the office of Federal Emergency Relief Administrator shall cease to exist upon the expiration of two years after May 12, 1933, and the unexpended balance on such date of any funds made available under the provisions of this chapter shall be disposed of as the Congress may by law provide.

(b) **Officers and employees; appointment and compensation.** The Administrator may appoint and fix the compensation of such experts and their appointment may be made and compensation fixed without regard to the civil-service laws, or chapter 13 of Title 5, and the Administrator may, in the same manner appoint and fix the compensation of such other officers and employees as are necessary to carry out the provisions of this chapter, but such compensation shall not exceed in any case the sum of \$8,000; and may make such expenditures (including expenditures for personal services and rent at the seat of government and elsewhere and for printing and binding), not to exceed \$350,000, as are necessary to carry out the provisions of this chapter, to be paid by the Reconstruction Finance Corporation out of funds made available by this chapter upon presentation of vouchers approved by the Administrator or by an officer of the Administration designated by him for that purpose. The Administrator may, under rules and regulations prescribed by the President, assume control of the administration in any State or States where, in his judgment, more effective and efficient cooperation between the State and Federal authorities may thereby be secured in carrying out the purposes of this chapter.

(c) **Investigations.** In executing any of the provisions of this chapter, the Administrator, and any person duly authorized or designated by him, may conduct any investigation pertinent or material to the furtherance of the purposes of this chapter and, at the request of the President, shall make such further investigations and studies as the President may deem necessary in dealing with problems of unemployment relief.

(d) **Monthly reports of Administrator.** The Administrator shall print monthly, and shall submit to the President and to the Senate and the House of Representatives (or to the Secretary of the Senate and the Clerk of the House of Representatives, if those bodies are not in session), a report of his activities and expenditures under this chapter. Such reports shall, when submitted, be printed as public documents. (May 12, 1933, c. 30, § 3, 48 Stat. 56.)

§ 724. **Grants to States; terms and conditions; amounts.** (a) Out of the funds of the Reconstruction Finance Corporation made available by this chapter, the Administrator is authorized to make grants to the several States to aid in meeting the costs of furnishing relief and work relief and in relieving the hardship and suffering caused by unemployment in the form of money, service, materials, and/or commodities to provide the necessities of life to persons in

need as a result of the present emergency, and/or to their dependents, whether resident, transient, or homeless.

(b) Of the amounts made available by this chapter not to exceed \$250,000,000 shall be granted to the several States applying therefor, in the following manner: Each State shall be entitled to receive grants equal to one third of the amount expended by such State, including the civil subdivisions thereof, out of public moneys from all sources for the purposes set forth in subsection (a) of this section; and such grants shall be made quarterly, beginning with the second quarter in the calendar year 1933, and shall be made during any quarter upon the basis of such expenditures certified by the States to have been made during the preceding quarter.

(c) The balance of the amounts made available by this chapter, except the amount required for administrative expenditures under section 723, shall be used for grants to be made whenever, from an application presented by a State, the Administrator finds that the combined moneys which can be made available within the State from all sources, supplemented by any moneys, available under subsection (b) of this section, will fall below the estimated needs within the State for the purposes specified in subsection (a) of this section: *Provided*, That the Administrator may certify out of the funds made available by this subsection additional grants to States applying therefor to aid needy persons who have no legal settlement in any one State or community, and to aid in assisting cooperative and self-help associations for the barter of goods and services.

(d) After October 1, 1933, notwithstanding the provisions of subsection (b), the unexpended balance of the amounts available for the purposes of subsection (b) may, in the discretion of the Administrator and with the approval of the President, be available for grants under subsection (c).

(e) The decision of the Administrator as to the purpose of any expenditure shall be final.

(f) The amount available to any one State under subsections (b) and (c) of this section shall not exceed 15 per centum of the total amount made available by such subsections. (May 12, 1933, c. 30, § 4, 48 Stat. 57.)

**§ 725. Application for grants; contents.** Any State desiring to obtain funds under this chapter shall through its Governor make application therefor from time to time to the Administrator. Each application so made shall present in the manner requested by the Administrator information showing (1) the amounts necessary to meet relief needs in the State during the period covered by such application and the amounts available from public or private sources within the State, its political subdivisions, and private agencies, to meet the relief needs of the State, (2) the provision made to assure adequate administrative supervision, (3) the provision made for suitable standards of relief, and (4) the purposes for which the funds requested will be used. (May 12, 1933, c. 30, § 5, 48 Stat. 57.)

**§ 726. Certification of approval of applications to Reconstruction Finance Corporation; monthly reports of Governors.** The Administrator upon approving a grant to any State shall so certify to the Reconstruction Finance Corporation which shall, except upon revocation of a certificate by the Administrator, make payments without delay to the State in such amounts and at such times as may be prescribed in the certificate. The Governor of each State receiving grants under this chapter shall file monthly with the Administrator, and in the form required by him, a report of the disbursements made under such grants. (May 12, 1933, c. 30, § 6, 48 Stat. 58.)

**§ 727. State and Governor defined.** As used in the foregoing provisions of this chapter, the term "State" shall include the District of Columbia, Alaska, Hawaii, the Virgin Islands, and Puerto Rico; and the term "Governor" shall include the Commissioners of the District of Columbia. (May 12, 1933, c. 30, § 7, 48 Stat. 58.)

**§ 727a. Grants to public agencies.** Nothing contained in this chapter shall be construed as precluding the Federal Emergency Relief Administrator from making grants for relief within a State directly to such public agency as he may designate. (Feb. 15, 1934, c. 13, § 1, 48 Stat. 351.)

**§ 728. Short title.** This chapter may be cited as the "Federal Emergency Relief Act of 1933." (May 12, 1933, c. 30, § 8, 48 Stat. 58.)

#### COMMERCE DEPARTMENT

See chapter 10 of Title 5, EXECUTIVE DEPARTMENTS AND GOVERNMENT OFFICERS AND EMPLOYEES.

#### COMMISSIONER OF PENSIONS

See Title 38, PENSIONS, BONUSES, AND VETERANS' RELIEF.

#### COMMON CARRIERS

See Title 45, RAILROADS; see Title 46, SHIPPING.

#### COMPENSATION FOR INJURIES

Government employees; see chapter 15 of Title 5, EXECUTIVE DEPARTMENTS AND GOVERNMENT OFFICERS AND EMPLOYEES.

#### COMPTROLLER OF THE CURRENCY

See Title 12, Banks and Banking.

#### CONGRESS

Appropriations; see Title 31, MONEY AND FINANCE. Printing and binding for Congress; see Title 44, PUBLIC PRINTING AND DOCUMENTS.

#### CONGRESSIONAL RECORD

See Title 44, PUBLIC PRINTING AND DOCUMENTS.