The constitutional principles of the American Founding that guided American politics before the Civil War were increasingly altered as a new approach to governance become predominant in the early twentieth century. The rise of an administrative state centralized more power in the hands of federal agencies in the executive branch and blurred the relationship of the branches of government and their respective constitutional powers. Even though the Constitution specifically granted authority to Congress to regulate interstate commerce in its enumerated powers in Article I, Section 8, Congress increasingly delegated that authority to the executive branch.

In the late nineteenth century, railroads and corporations began to grow exponentially as big business became larger through waves of mergers. Soon, trusts began to exercise monopolistic control over several industries and over the broader economy. Although they benefitted workers with jobs and often consumers with falling prices on goods, they also created an incredibly wealthy ruling class that formed corrupt ties to politicians.

Many Americans began to fear the effects of the rise of big business. Progressive thinkers of the late nineteenth and early twentieth centuries advocated the idea that only the federal government had the national power to regulate business. They believed that educated, scientific experts could rationalize the economic and social order by bringing efficiency to the marketplace. The experts would regulate business from the bureaucracy with new executive agencies where they would supposedly be free from political decision-making and its potential for corruption.

The Congress passed the Interstate Commerce Act in 1887 and the Sherman Anti-Trust Act in 1890 to regulate railroads and big business. The Justice Department prosecuted illegal trusts in industry, and Congress created the Interstate Commerce Commission (ICC) to monitor the rates railroads charged and regulate other trade practices.

During the presidencies of Theodore Roosevelt and Woodrow Wilson, Congress significantly increased the number of executive agencies to regulate commerce. Roosevelt argued that, “Corporations should be managed with due regard of the public as a whole,” and presided over a large expansion of federal regulatory power. The Hepburn Act (1906) increased the ICC’s power and allowed it to set rates for railroad shipping. The uproar over Upton Sinclair’s *The Jungle* led to the passage of the Meat Inspection Act and the Pure Food and Drug Act of 1906, which created the Food and Drug Administration (FDA) with additional power over interstate commerce. Therefore, Congress delegated its authority to administrative agencies.

President Woodrow Wilson also supported enhancing executive authority over interstate commerce. He asserted that progressives sought
to “interpret the Constitution according to the Darwinian principle” of a living Constitution with new meanings in different ages. Congress passed several key pieces of legislation that delegated authority to the executive to manage the economy. The most important were the Federal Reserve Act (1913), which established the Federal Reserve, and the Clayton Antitrust Act (1914), which created the Federal Trade Commission with power to manage competitive practices. World War I greatly enhanced federal executive power as the government nationalized the railroads and the War Industries Board directed the wartime economy. The executive had assumed many of powers constitutionally granted to Congress.

The progressive vision of the administrative state regulating the economy and commerce continued in the New Deal. President Franklin D. Roosevelt and a Democratic Congress struggled to find a way to deal with the worldwide crisis of the Great Depression. As the economy collapsed and unemployment skyrocketed, Congress passed a number of emergency laws with more regard for relieving suffering and stimulating the economy than worrying about the strict constitutionality of legislation.

Congress passed the National Industrial Recovery Act (NIRA) in 1933 and suspended anti-trust legislation due to the economic emergency and allowed for “industrial self-regulation.” It created the National Recovery Administration (NRA) which was an executive agency that worked with business to set production quotas, prices of goods, and wages for each industry. The NRA (instead of Congress) regulated commerce between the states and within states.

The NIRA angered most constituencies that it was supposed to help. Big business resented the intrusion and regulation, consumers were angry over rising prices, and workers felt the promised right to strike was not adequately protected. Journalist Walter Lippmann complained, “The excessive centralization... [is] producing a revulsion of feeling against bureaucratic control of American economic life.” President Roosevelt defended economic cooperation and regulation against the former “individual self-interest and group selfishness” that he argued characterized American capitalism. The NIRA was quickly challenged in the courts and a case made its way to the Supreme Court.

The Schechter brothers owned two kosher butcher shops in New York City and operated under minute NRA regulations that controlled every step in how chickens were sold to a customer. The government accused them of selling unhealthy chickens and violating several parts of the poultry codes. The “sick chicken” case was decided by the Supreme Court in 1935.

In Schechter Poultry Corp. v. United States (1935), the Supreme Court unanimously ruled that the NIRA was unconstitutional. Since the Schechter slaughterhouses conducted business within the state of New York, Congress (or any executive agency) could not regulate intrastate trade. More importantly, the Court held that Congress could not delegate its authority of regulating commerce to an executive agency such as the NRA since it violated the separation of powers. Justice Louis Brandeis even privately told administration officials: “I want you to go back and tell the president that we’re not going to let this government centralize everything.”

President Roosevelt was furious that the Court had restricted his ability to use the New Deal to resolve the economic crises as he and Congress saw fit. At a press conference, Roosevelt told reporters, “We have been relegated to the horse-and-buggy definition of interstate commerce.”
Nevertheless, the Supreme Court relented to Roosevelt’s expansive vision of federal regulatory power through the commerce clause a few years later. Congress continued to transfer its authority over regulating interstate commerce to the executive branch which continued to grow in power throughout the twentieth century.

This delegation of legislative power over to federal agencies fundamentally changed Congress. Instead of a deliberative body, representing the people in the creation of laws, Congress became more of an oversight body, which assumed the ability to supervise the dozens of newly-established agencies. Since Congress created and authorized the agencies (and funded them, too), Congress could intervene when an agency took the wrong course of action. Now an oversight body as opposed to a lawmaking body, Congress placed more authority in its committees to hold oversight hearings and monitor the administrative state in other ways.

Other institutions adapted to delegation as well. The president, in particular, began to use the bureaucracy to make policy outside of the legislative process, through executive actions in which Congress was not involved. And the people began to look more to the president as a policymaker than their elected representatives in Congress.

CRITICAL THINKING QUESTIONS

1. What is an administrative state? How did the United States shift to being more administrative in policies and procedures?
2. What were/are the effects of Congress delegating power to executive agencies?
3. Why were anti-trust measures put in place by Congress? Were they necessary? Were they effective?
4. In your opinion, has a growth in executive power infringed upon or supported constitutional principles? Explain your answer.
Be it enacted... That the provisions of this act shall apply to any common carrier or carriers engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water when both are used, under a common control, management, or arrangement, for a continuous carriage or shipment, from one State or Territory of the United States, or the District of Columbia, or from any place in the United States through a foreign country to any other place in the United States, and also to the transportation in like manner of property shipped from any place in the United States to a foreign country and carried from such place to a port of transshipment, or shipped from a foreign country to any other place in the United States, and also to the transportation in like manner of property shipped from any place in the United States to a foreign country and carried from such place to a port of entry either in the United States or an adjacent foreign country: Provided, however, That the provisions of this act shall not apply to the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State, and not shipped to or from a foreign country from or to any State or Territory as aforesaid...

Sec. 11. That a Commission is hereby created and established to be known as the Interstate Commerce Commission, which shall be composed of five Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate. The Commissioners first appointed under this act shall continue in office for the term of two, three, four, five, and six years, respectively, from January 1, 1887, the term of each to be designated by the President; but their successors shall be appointed for terms of six years.... Any Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Not more than three of the Commissioners shall be appointed from the same political party. No person in the employ of or holding any official relation to any common carrier subject to the provisions of this act, or owning stock or bonds thereof, or who is in any manner pecuniarily interested therein, shall enter upon the duties of or hold such office. Said Commissioners shall not engage in any other business, vocation, or employment. No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission.

Sec. 12. That the Commission hereby created shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted, and shall have the right to obtain from such common carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created; and for the purposes of this act the Commission shall have power to require the attendance and testimony of witnesses and the production of all books, papers, tariffs, contracts, agreements, and documents relating to any matter under investigation, and to that end may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and
the production of books, papers, and documents under the provisions of this section...

Sec. 13. That any person, firm, corporation, or association, or any mercantile, agricultural, or manufacturing society, or any body politic or municipal organization complaining of anything done or omitted to be done by any common carrier subject to the provisions of this act, in contravention of the provisions thereof, may apply to said Commission by petition, which shall briefly state the facts; whereupon a statement of the charges thus made shall be forwarded by the Commission to such common carrier, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time, to be specified by the Commission....If there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the Commission to investigate the matters complained of in such manner and by such means as it shall deem proper.

Said Commission shall in like manner investigate any complaint forwarded by the railroad commissioner or railroad commission of any State or Territory, at the request of such commissioner or commission, and may institute any inquiry on its own motion in the same manner and to the same effect as though complaint had been made.

Full text can be found at: http://www.ourdocuments.gov/doc.php?doc=49&page=pdf
Excerpts from The Agricultural Adjustment Act of 1933

AN ACT to relieve the existing national economic emergency by increasing agricultural purchasing power, to raise revenue for extraordinary expenses incurred by reason of such emergency, to provide emergency relief with respect to agricultural indebtedness, to provide for the orderly liquidation of joint stock land bands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled...

PART 1—Cotton Option Contracts

SEC. 3. The Federal Farm Board and all departments and other agencies of the Government, not including the federal intermediate credit banks, are hereby directed—

a. To sell to the Secretary of Agriculture at such a price as may be agreed upon, not in excess of the market price, all cotton now owned by them.

b. To take such action and to make such settlements as are necessary in order to acquire full legal title to all cotton on which money has been loaned or advanced by any department or agency of the United States, including futures contracts for cotton or which is held as collateral for loans or advances and to make final settlement of such loans and advances as follows...

SEC. 4. The Secretary of Agriculture shall have authority to borrow money upon all cotton in his possession or control and deposit as collateral for such loans the warehouse receipts for such cotton.

SEC. 5. The Reconstruction Finance Corporation is hereby authorized and directed to advance money and to make loans to the Secretary of Agriculture to acquire such cotton and to pay the classing, carrying, and merchandising costs thereon, in such amounts and upon such terms as may be agreed upon by the Secretary and the Reconstruction Finance Corporation, with such warehouse receipts as collateral security: Provided, however, That in any instance where it is impossible or impracticable for the Secretary to deliver such warehouse receipts as collateral security for the advances and loans herein provided to be made, the Reconstruction Finance Corporation may accept in lieu of all or any part thereof such other security as it may consider acceptable for the purposes aforesaid, including an assignment or assignments of the equity and interest of the Secretary in warehouse receipts pledged to secure other indebtedness. The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions of this section.

SEC. 6. a. The Secretary of Agriculture is hereby authorized to enter into option contracts with the producers of cotton to sell to any such producer an amount of cotton to be agreed upon not in excess of the amount of reduction in production of cotton by such producer below the amount produced by him in the preceding crop year, in all cases where such producer agrees in writing to reduce the amount of cotton produced by him in 1933, below his production in the previous year, by not less than 30 per centum, without increase in commercial fertilization per acre...
PART 2—Commodity Benefits

MISCELLANEOUS

SEG. 10. a. The Secretary of Agriculture may appoint such officers and employees, subject to the provisions of the Classification Act of 1923 and Acts amendatory thereof, and such experts as are necessary to execute the functions vested in him by this title; and the Secretary may make such appointments without regard to the civil service laws of regulations...

PART 7—Miscellaneous

PERFECTION ORGANIZATION FARM CREDIT ADMINISTRATION

SEO. 40. The Governor of the Farm Credit Administration is authorized, in carrying out the powers and duties now or hereafter vested in him or the Farm Credit Administration by law or under any Executive order made under title IV of part II of the Legislative Appropriation Act of 1933, as amended, to establish, and to fix the powers and duties, of such divisions, agencies, corporations, and instrumentalities as he may deem necessary to the efficient functioning of the Farm Credit Administration and the successful execution of the powers and duties so vested in the Governor and the Farm Credit Administration...

PART 8—Short Title

TITLE III—FINANCING AND EXERCISING POWER CONFERRED BY SECTION 8 OF ARTICLE I OF THE CONSTITUTION: TO COIN MONEY AND REGULATE THE VALUE THEREOF

SEC. 43. Whenever the President finds, upon investigation, that (1) the foreign commerce of the United States is adversely affected by reason of depreciation in the value of currency issues of the United States, or (3) an economic emergency requires and expansion of credit, or (4) an expansion of credit is necessary to secure by international agreement a stabilization at proper levels of currencies of various governments, the President is authorized in his discretion—

a. To direct the Secretary of the Treasury to enter into agreements with the several Federal Reserve banks and with the Federal Reserve Board...

b. If the Secretary, when directed by the President, is unable to secure the assent of the several Federal Reserve banks and the Federal Reserve Board to the agreements authorized in this section, or if operations under the above provisions prove to be inadequate to meet the purposes of this section, or if for any other reason additional measures are required in the judgment of the President to meet such purposes, then the President is authorized—

1. To direct the Secretary of the Treasury to cause to be issued in such amounts or amounts as he may from time to time order, United States notes...

2. By proclamation to fix the weight of gold dollars in grains nine tenths fine and also to fix the weight of the silver dollar in grains nine tenths fine at a definite fixed ratio in relation to the gold dollar at such amounts as he finds necessary from his investigation to stabilize domestic prices or to protect the foreign commerce...

Excerpts from The National Industrial Recovery Act of 1933

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—Industrial Recovery
DECLARATION OF POLICY
Section 1. A national emergency productive of widespread unemployment and disorganization of industry, which burdens interstate and foreign commerce, affects the public welfare, and undermines the standards of living of the American people, is hereby declared to exist. It is hereby declared 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; and to provide for the general welfare by promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present protective capacity of industries, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial and agricultural products by increasing purchasing power, to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and to conserve natural resources.

ADMINISTRATIVE AGENCIES
Sec. 2.

a. To effectuate the policy of this title, the President is hereby authorized to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the provisions of the civil service laws, such officers and employees, and to utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

b. The President may delegate any of this functions and powers under this title to such officers, agents, and employees as he may designate or appoint, and may establish an industrial planning and research agency to aid in carrying out his functions under this title.

c. This title shall cease to be in effect and any agencies established hereunder shall cease to exist at the expiration of two years after the date of enactment of this Act, or sooner if the President shall by proclamation or the Congress shall by joint resolution declare
that the emergency recognized by section 1 has ended.

CODES OF FAIR COMPETITION

Sec. 3.

a. Upon the application to the President by one or more trade or industrial associations or groups, the President may approve a code or codes of fair competition for the trade or industry or subdivision thereof, represented by the applicant or applicants, if the President finds (1) that such associations or groups impose no inequitable restrictions on admission to membership therein and are truly representative of such trades or industries or subdivisions thereof, and (2) that such code or codes are not designed to promote monopolies or to eliminate or oppress small enterprises and will not operate to discriminate against them, and will tend to effectuate the policy of this title: Provided, That such code or codes shall not permit monopolies or monopolistic practices: Provided further, That where such code or codes affect the services and welfare of persons engaged in other steps of the economic process, nothing in this section shall deprive such persons of the right to be heard prior to approval by the President of such code or codes. The President may, as a condition of his approval of any such code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of consumers, competitors, employees, and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the President in his discretion deems necessary to effectuate the policy herein declared.

b. After the President shall have approved any such code, the provisions of such code shall be the standards of fair competition for such trade or industry or subdivision thereof. Any violation of such standards in any transaction in or affecting interstate or foreign commerce shall be deemed an unfair method of competition in commerce within the meaning of the Federal Trade Commission Act, as amended; but nothing in this title shall be construed to impair the powers of the Federal Trade Commission under such Act, as amended.

c. The several district courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of any code of fair competition approved under this title; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations.

d. Upon his own motion, or if complaint is made to the President that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in any trade or industry or subdivision thereof, and if no code of fair competition therefor has theretofore been approved by the President, the President, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition for such trade or industry or subdivision thereof, which shall have the same effect as a code of fair competition approved by the President under subsection (a) of this section.
e. On his own motion, or if any labor organization, or any trade or industrial organization, association, or group, which has complied with the provisions of this title, shall make complaint to the President that any article or articles are being imported into the United States in substantial quantities or increasing ratio to domestic production of any competitive article or articles and on such terms or under such conditions as to render ineffective or seriously to endanger the maintenance of any code or agreement under this title, the President may cause an immediate investigation to be made by the United States Tariff Commission, which shall give precedence to investigations under this subsection, and if, after such investigation and such public notice and hearing as he shall specify, the President shall find the existence of such facts, he shall, in order to effectuate the policy of this title, direct that the article or articles concerned shall be permitted entry into the United States only upon such terms and conditions and subject to the payment of such fees and to such limitations in the total quantity which may be imported (in the course of any specified period or periods) as he shall find it necessary to prescribe in order that the entry thereof shall not render or tend to render ineffective any code or agreement made under this title. In order to enforce any limitations imposed on the total quantity of imports, in any specified period or periods, of any article or articles under this subsection, the President may forbid the importation of such article or articles unless the importer shall have first obtained from the Secretary of the Treasury a license pursuant to such regulations as the President may prescribe. Upon information of any action by the President under this subsection the Secretary of the Treasury shall, through the proper officers, permit entry of the article or articles specified only upon such terms and conditions and subject to such fees, to such limitations in the quantity which may be imported, and to such requirements of license, as the President shall have directed. The decision of the President as to facts shall be conclusive. Any condition or limitation of entry under this subsection shall continue in effect until the President shall find and inform the Secretary of the Treasury that the conditions which led to the imposition of such condition or limitation upon entry no longer exists.

f. When a code of fair competition has been approved or prescribed by the President under this title, any violation of any provision thereof in any transaction in or affecting interstate or foreign commerce shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than $500 for each offense, and each day such violation continues shall be deemed a separate offense.

AGREEMENTS AND LICENSES

Sec. 4. a. The President is authorized to enter into agreements with, and to approve voluntary agreements between and among, persons engaged in a trade or industry, labor organizations, and trade or, industrial organizations, associations, or groups, relating to any trade or industry, if in his judgment such agreements will aid in effectuating the policy of this title with respect to transactions in or affecting interstate or foreign commerce, and will be consistent with the requirements of
clause (2) of subsection (a) of section 3 for a code of fair competition.

TITLE II—Public Works and Construction Projects

FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

SECTION 201. a. To effectuate the purposes of this title, the President is hereby authorized to create a Federal Emergency Administration of Public Works, all the powers of which, shall be exercised by a Federal Emergency Administrator of Public Works...and to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint, without regard to the civil service laws, such officers and employees, and to utilize such Federal officers and employees, and, with consent of the State, such State and local officers and employees as he may find necessary...The President may delegate any of his functions and powers under this title to such officers, agents, and employees as he may designate or appoint.

Full text can be found at: http://www.ourdocuments.gov/doc.php?doc=66
AN ACT To mobilize the human and financial resource of the Nation to combat poverty in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Economic Opportunity Act of 1964”.

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. Although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people. The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. It is the purpose of this Act to strengthen, supplement, and coordinate efforts in furtherance of that policy.

TITLE VI—Administration and Coordination

PART A—ADMINISTRATION

Office of Economic Opportunity

SEC. 601. a. There is hereby established in the Executive Office of the President the Office of Economic Opportunity. The Office shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate. There shall also be in the Office one Deputy Director and three Assistant Directors who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Director and the Assistant Directors shall perform such functions as the Director may from time to time prescribe...

Authority of Director

SEC. 602. In addition to the authority conferred upon him by other sections of this Act, the Director is authorized, in carrying out his functions under this Act, to—

a. appoint in accordance with the civil service laws such personnel as may be necessary to enable the Office to carry out its functions, and, except as otherwise provided herein, fix their compensation in accordance with the Classification Act of 1949 (5 U.S.C. 1071 et seq.);

b. employ experts and consultants or organizations thereof as authorized by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), compensate
individuals so employed at rates not in excess of $100 per diem, including travel time, and allow them, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5 of such Act (5U.S.C. T3b-2) for persons in the Government service employed intermittently, while so employed: Provided, however, That contracts for such employment may be renewed annually;

c. appoint, without regard to the civil service laws, one or more advisory committees composed of such private citizens and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions under this Act; and members of such committees (including the National Advisory Council established in section 605), other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Director, shall be entitled to receive compensation and travel expenses as provided in subsection (b) with respect to experts and consultants;

d. with the approval of the President, arrange with and reimburse the heads of other Federal agencies for the performance of any of his functions under this Act and, as necessary or appropriate, delegate any of his powers under this Act and authorize the redelegation thereof;

e. utilize, with their consent, the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or a political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

f. accept in the name of the Office, and employ or dispose of in furtherance of the purposes of this Act, or of any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise;

g. accept voluntary and uncompensated services, notwithstanding the provisions of section 3679(b) of the Revised Statutes (31 U.S.C. 665(b));

h. allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code) expenditure for construction, repairs, and capital improvements...

**Economic Opportunity Counsel**

**SEC, 604.**

a. There is hereby established an Economic Opportunity Council, which shall consult with and advise the Director in carrying out his functions, including the coordination of antipoverty efforts by all segments of the Federal Government.

b. The Council shall include the Director, who shall be Chairman, the Secretary of Defense, the Attorney General, the Secretaries of the Interior, Agriculture, Commerce, Labor, and Health, Education, and Welfare, the Housing and Home Finance Administrator, the Administrator of the Small Business Administration, the Chairman of the Council of Economic Advisers, the Director of Selective Service, and such other agency
heads as the President may designate, or delegates thereof.

**National Advisory Counsel**

SEC. 605. There is hereby established in the Office a National Advisory Council. The Council shall be composed of the Director, who shall be Chairman, and not more than fourteen additional members appointed by the President, without regard to the civil service laws, who shall be representative of the public in general and appropriate fields of endeavor related to the purposes of this Act. Upon the request of the Director, the Council shall review the operations and activities of the Office, and shall make such recommendations with respect hereto as are appropriate. The Council shall meet at least once each year and at such other times as the Director may request.

**TITLE I—Youth Programs**

**PART A—JOB CORPS**

**Statement of Purpose**

SEC. 101. The purpose of this part is to prepare for the responsibilities of citizenship and to increase the employability of young men and young women aged sixteen through twenty-one by providing them in rural and urban residential centers with education, vocational training, useful work experience, including work directed toward the conservation of natural resources, and other appropriate activities.

**PART B—WORK-TRAINING PROGRAMS**

**Statement of Purpose**

SEC. 111. The purpose of this part is to provide useful work experience opportunities for unemployed young men and young women, through participation in State and community work-training programs, so that their employability may be increased or their education resumed or continued and so that public agencies and private nonprofit organizations (other than political parties) will be enabled to carry out programs which will permit or contribute to an undertaking or service in the public interest that would not otherwise be provided, or will contribute to the conservation and development of natural resources and recreational areas.

**TITLE II—Urban and Rural Community Action Programs**

**PART A—GENERAL COMMUNITY ACTION PROGRAMS**

**Statement of Purpose**

SEC. 201. The purpose of this part is to provide stimulation and incentive for urban and rural communities to mobilize their resources to combat poverty through community action programs.

**PART B—ADULT BASIC EDUCATION PROGRAMS**

**Statement of Purpose**

SEC. 212. It is the purpose of this part to initiate programs of instruction for individuals who have attained age eighteen and whose inability to read and write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, so as to help eliminate such inability and raise the level of education of such individuals with a view” to making them less likely to become dependent on others, improving their ability’ to benefit from occupational
training and otherwise increasing their opportunities for more productive and profitable employment, and making them better able to meet their adult responsibilities.

PART C—VOLUNTARY ASSISTANCE PROGRAM FOR NEEDY CHILDREN

Statement of Purpose
SEC. 219. The purpose of this part is to allow individual Americans to participate in a personal way in the war on poverty, by voluntarily assisting in the support of one or more needy children, in a program coordinated with city or county social welfare agencies.

TITLE III—Special Programs to Combat Poverty in Rural Areas

Statement of Purpose
SEC. 301. It is the purpose of this title to meet some of the special problems of rural poverty and thereby to raise and maintain the income and living standards of low-income rural families and migrant agricultural employees and their families.

TITLE IV—Employment and Investment Incentives

Statement of Purpose
SEC. 401. It is the purpose of this title to assist in the establishment, preservation, and strengthening of small business concerns and improve the managerial skills employed in such enterprises; and to mobilize for those objectives private as well as public managerial skills and resources.

TITLE V—Work Experience Programs

Statement of Purpose
SEC. 501. It is the purpose of this title to expand the opportunities for constructive work experience and other needed training available to persons who are unable to support or care for themselves or their families. In carrying out this purpose, the Director shall make maximum use of the programs available under the Manpower Development and Training Act of 1962, as amended, and Vocational Education Act of 1963.

Full text can be found at: http://www.gpo.gov/fdsys/pkg/STATUTE-78/pdf/STATUTE-78-Pg508.pdf
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<tr>
<td>Did this act cause a shift in power from the legislature to the executive? In what way?</td>
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<tr>
<td>Is this act still in effect? Why or why not?</td>
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</tbody>
</table>