Federal Register Act, 1935 - Legislative History
Public Law 74-220, 49 Stat. 500-503 (H.R. 6323)
July 26, 1935

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H. Rep. No. 74-280 to H.R. 6323, March 4, 1935 (pp. 6-9).


House debated and passed H.R. 6323, April 1, 1935 (79 Cong. Rec. 4785-91) (pp. 13-19).

Senate considered H.R. 6323, May 20, 1935 (79 Cong. rec. 7804) (p. 20).

Senate considered H.R. 6323, May 27, 1935 (79 Cong. Rec. 8295) (p. 21).


House disagreed to Senate amdts & requested a conference, June 12, 1935 (79 Cong. Rec. 9193).

Senate agreed to conference with the House on H.R. 6323, June 14, 1935 (79 Cong. Rec. 9261).

Senate agreed to the conference report, July 11, 1935 (79 Cong. Rec. 10998) (p. 25).

Conf. report printed in Record & agreed to by House, July 22, 1935 (79 Cong. Rec. 11570-71).

President signed H.R. 6323 into law, Pub. L. No. 74-220, July 26, 1935 (p. 2-5).

Note: Citations to the Congressional Record are to the bound edition.

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the Board at the grades and salaries specified in their respective examinations: *Provided*, That this section shall not be construed to impair any obligation incurred by the old Board.

Sec. 7. The Board with the approval of the Committee is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Sec. 8. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Sec. 9. This Act shall cease to be in effect and the agencies established hereunder shall cease to exist at the expiration of five years after the date of enactment of this Act.

Approved, July 25, 1935.

[CHAPTER 417.]

AN ACT

To provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Archivist of the United States, acting through a division established by him in the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act and the regulations prescribed hereunder, who shall receive a salary, to be fixed by the President, not to exceed $5,000 a year.

Sec. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open for that purpose during all hours of the working days when the Archives Building shall be open for official business. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each document the day and hour of filing thereof: *Provided*, That when the original is issued, prescribed, or promulgated outside of the District of Columbia and certified copies are filed before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be available for inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this Act, one duplicate original or certified copy of each document required or authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required the original and the duplicate originals or certified copies of all such documents issued, prescribed, or promulgated by the agency.

Sec. 3. All documents required or authorized to be published under section 5 shall be printed and distributed forthwith by the Government Printing Office in a serial publication designated the "Federal
Register." It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner and at the times required in accordance with the provisions of this Act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall comprise all documents, required or authorized to be published, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations hereunder. There shall be printed with each document a copy of the notation, required to be made under section 2, of the day and hour when, upon filing with the Division, such document was made available for public inspection. Distribution shall be made by delivery or by deposit at a post office at such time in the morning of the day of distribution as shall be fixed by such regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 6 without reference to the restrictions placed upon and fixed for the sale of Government publications by section 1 of the Act of May 11, 1922, and section 307 of the Act of June 30, 1932 (U. S. C., title 44, secs. 72 and 72a), and any amendments thereto.

Sec. 4. As used in this Act, unless the context otherwise requires, the term "document" means any Presidential proclamation or Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the terms "Federal agency" or "agency" mean the President of the United States, or any executive department, independent board, establishment, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States but not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

Sec. 5. (a) There shall be published in the Federal Register (1) all Presidential proclamations and Executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof; (2) such documents or classes of documents as the President shall determine from time to time have general applicability and legal effect; and (3) such documents or classes of documents as may be required so to be published by Act of the Congress: Provided, That for the purposes of this Act every document or order which shall prescribe a penalty shall be deemed to have general applicability and legal effect.

(b) In addition to the foregoing there shall also be published in the Federal Register such other documents or classes of documents as may be authorized to be published pursuant hereto by regulations prescribed hereunder with the approval of the President, but in no case shall comments or news items of any character whatsoever be authorized to be published in the Federal Register.

Sec. 6. There is established a permanent Administrative Committee of three members consisting of the Archivist or Acting Archivist, who shall be chairman, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer. The Director of the Division shall act as secretary of the committee. The committee shall prescribe, with the approval of the President, regulations for carrying out the provisions of this Act. Such regulations shall provide, among other things: (a) The manner of certification of copies required to be certified under section 2, which certification may be permitted to be based upon con-
firmed communications from outside of the District of Columbia; (b) the documents which shall be authorized pursuant to section 5 (b) to be published in the Federal Register; (c) the manner and form in which the Federal Register shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register, which shall be printed, reprinted, and compiled, the number which shall be distributed without charge to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public; and (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

Sec. 7. No document required under section 5 (a) to be published in the Federal Register shall be valid as against any person who has not had actual knowledge thereof until the duplicate originals or certified copies of the document shall have been filed with the Division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be sufficient to give notice of the contents of such document to any person subject thereto or affected thereby. The publication in the Federal Register of any document shall create a rebuttable presumption (a) that it was duly issued, prescribed, or promulgated; (b) that it was duly filed with the Division and made available for public inspection at the day and hour stated in the printed notation; (c) that the copy contained in the Federal Register is a true copy of the original; and, (d) that all requirements of this Act and the regulations prescribed hereunder to such document have been complied with. The contents of the Federal Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

Sec. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an Act of the Congress, or may otherwise properly be given, the notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law, if said notice shall be published in the Federal Register at such time that the period between the publication and the date fixed in such notice for the hearing or for the termination of the opportunity to be heard shall be (a) not less than the time specifically prescribed for the publication of the notice by the appropriate Act of the Congress; or (b) not less than fifteen days when no time for publication is specifically prescribed by the Act, without prejudice, however, to the effectiveness of any notice of less than fifteen days where such shorter period is reasonable.

Sec. 9. Every payment made for the Federal Register shall be covered into the Treasury as a miscellaneous receipt. The cost of printing, reprinting, wrapping, binding, and distributing the Federal Register and any other expenses incurred by the Government Printing Office in carrying out the duties placed upon it by this Act shall be borne by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer. The purposes for which appropriations are available and are authorized to be made under section 10 of the Act entitled "An Act to establish a National Archives
of the United States Government, and for other purposes” (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this Act. Copies of the Federal Register mailed by the Government shall be entitled to the free use of the United States mails in the same manner as the official mail of the executive departments of the Government. The cost of mailing the Federal Register to officers and employees of Federal agencies in foreign countries shall be borne by the respective agencies.

Sec. 10. The provisions of section 2 shall become effective sixty days after the date of approval of this Act and the publication of the Federal Register shall begin within three business days thereafter: Provided, That the appropriations involved have been increased as required by section 9 of this Act. The limitations upon the effectiveness of documents required, under section 5 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or subsequent Act of the Congress or by Executive order to be published in the Federal Register.

Sec. 11. Within six months after the approval of this Act each agency shall prepare and file with the committee a complete compilation of all documents which have been issued or promulgated prior to the date documents are required or authorized by this Act to be published in the Federal Register and which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall within sixty days thereafter report with respect thereto to the President, who shall determine which of such documents have general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition or issue of the Federal Register. Such special or supplemental editions or issues shall be distributed in the same manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

Sec. 12. Nothing in this Act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

Sec. 13. All Acts or parts of Acts in conflict with this Act are hereby repealed insofar as they conflict herewith.

Sec. 14. This Act may be cited as the “Federal Register Act.”

Approved, July 26, 1935.

[CHAPTER 418.]

AN ACT

To authorize the Secretary of War to sell to the Eagle Pass and Piedras Negras Bridge Company a portion of the Eagle Pass Military Reservation, Texas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to sell and convey to the Eagle Pass and Piedras Negras Bridge Company, its successors and assigns, on terms and conditions to be prescribed by the Secretary of War the right, title and interest of the United States in that portion of the Eagle Pass Military Reservation, Texas, occupied by said company on which its improvements are located.
PUBLICATION OF GOVERNMENTAL RULES AND REGULATIONS

MARCH 4, 1935.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. Celler, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 6323]

The Committee on the Judiciary, to whom was referred the bill (H. R. 6323) relating to the codification, printing, distribution, and custody of Federal proclamations, orders, regulations, notices, and other documents, report the same favorably with the recommendation that it do pass.

GENERAL STATEMENT

In the first 15 months after March 4, 1933, the President alone issued 674 Executive orders, aggregating approximately 1,400 pages. This was a greater volume than that of the preceding 4 years, and nearly six times as great as that for the 39 years from 1862 through 1900. Moreover, in the first year of the National Recovery Administration, 2,998 administrative orders were issued. In addition to these, the N. R. A. has adopted numerous regulations and sets of regulations which can only be found after a search through some 5,991 press releases issued during this period. It is estimated that the N. R. A. alone issued in all some 10,000 pages of "law"—a greater volume than the total amount of statute law contained in the United States Code.

Aside from the tremendous number of rules and regulations issued by the National Recovery Administration and the great activity by the President in the promulgation of Executive orders, there are the many other Departments and officials adding to the avalanche of Executive orders, decrees, regulations, notices, and codes. The Agricultural Adjustment Administration has issued many series of regulations, some of them most complicated by amendments and supplements. There are customs regulations, internal-revenue regulations, immigration rules and regulations, and postal rules and
regulations, comprising several volumes, frequently amended. The Veterans' Bureau has issued two large volumes of regulations; much of the data are already out of date. There is an elaborate series of regulations under the Pure Food and Drugs Act. Pretty soon the new boards and new commissions, like the Federal Communications Commission and the Securities and Exchange Commission, will issue their myriad of executive legislation. We have mentioned only a few of the bureaus. There are literally dozens of agencies with powers to publish rules and regulations. Ofttimes, these rules and regulations prescribe penalties. It is difficult at times to find out what they are. Yet the property and persons of the citizens may be at stake.

The enactments of Congress are easily available, but often the regulations issued under them are more important than the basic acts. But these administrative rules and pronouncements oftentimes cannot be found. As to their publication and distribution, there is utter chaos. These rules and regulations frequently appear in separate paper pamphlets, some printed on single sheets of paper and easily lost. Any attempt to compile a complete private collection of these rules and regulations would be wellnigh impossible. No law library, public or private, contains them all. Officials of the department issuing them frequently do not know all of their own regulations. Recently, as has been pointed out by Prof. Erwin N. Griswold, of the Harvard Law School, in an article in the December 1934 issue of the Harvard Law Review, entitled "Government in Ignorance of the Law—A Plea for Better Publication of Executive Legislation", an indictment was brought and an appeal was taken by the Government to the Supreme Court before it was discovered that the regulation on which the proceeding was based did not exist. (See United States v. Smith, no. 3, October term, 1934, appeal dismissed on motion of the appellant, Oct. 1, 1934. See New York Times, Oct. 2, 1934, at 6.)

A committee of the American Bar Association has this to say on the subject:

The practice of filing Executive orders with the Department of State is not uniformly or regularly followed, and the totals are really greater than above indicated. Some orders are retained or buried in the files of the Government departments, some are confidential and are not published, and the practice as to printing and publication of orders is not uniform. Some orders are made known and available rather promptly after their approval; the publication of others may be delayed a month or more, with consequent confusion in numbering. The comparatively large number of recent orders which incorporate provisions purporting to impose criminal penalties by way of fine and imprisonment for violation is without numerical precedent in the history of the Government.

Such chaos and disorder concerning statutory rules and regulations demands an immediate solution. H. R. 6323 provides such solution. There shall be an official publication called the "Federal Register", in which all rules and regulations shall systematically and uniformly be published, and such Federal Register shall be readily accessible to all parties interested. There shall be available for public use indices and tabulations of such rules and regulations.

The same situation existed in England as far back as 1890. They found a solution in the passage of the Rules Publication Act in 1893, providing for the setting up of statutory rules and orders of a public and general nature, in what has become known as the "London Gazette", wherein is found a systematic publication of all executive
orders, decrees, rules, and regulations. Canada, India, New Zealand, and South Africa, and most Latin countries have their official gazettes. It is high time that we had ours.

H. R. 6323 provides for the setting up of the machinery and the staff to provide, first, for the publication and dissemination of all future rules and regulations and orders of the departments in the so-called “Federal Register”, which is published daily, and secondly, for the codification, classification, and indexing of all existing rules, orders, and regulations of the executive departments. In the formulation of this remedy great credit must be given to Prof. Irwin N. Griswold, professor of law, Harvard Law School, to Judge N. A. Townsend, special assistant to the Attorney General, and to Hon. Angus D. MacLean, Assistant Solicitor General, for their helpful suggestions in the preparation and drafting of the bill.

SYNOPSIS OF THE BILL BY SECTIONS

Section 1 provides that the Archivist of the United States shall be charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under the provisions of the bill. This section further provides that the provisions of the bill shall be carried out under the supervision of a director, appointed by the President, who in turn shall act under the general direction of the Archivist of the United States.

Section 2 provides for the filing with the division in charge, of the original and two duplicate originals or certified copies of any documents required or authorized to be published under section 4 of the bill. Further provision under section 2 is made that the original be retained in the archives of the National Archives Establishment and that one duplicate, original, or certified copy thereof be immediately transmitted to the Government Printing Office for printing.

Section 3 provides for the printing and distribution by the Government Printing Office of a serial publication designated the “Federal Register”, to be distributed daily except Sundays, Mondays, and days following legal holidays. It is further provided in section 3 that the contents of the daily issue shall comprise all documents filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by the regulations. The method of distribution of, and the prices to be charged for, the Federal Register are also provided for in section 3.

Section 4 sets forth the documents required or authorized to be filed in the Division and to be published in the Federal Register.

Section 5 (a) makes specification as to which Presidential proclamations and Executive orders shall be published in the Federal Register, as well as to which documents or classes of documents are to be published.

Section 5 (b) further provides for the publication in the Register of certain other documents or classes of documents.

Section 6 provides for the establishment of a permanent administrative committee of three members, which committee, consisting of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer, shall prescribe, with the approval of the
President, regulations for carrying out the provisions of the bill. The provisions of such regulations are also set forth in section 6.

Section 7 provides that the Federal Register shall be judicially noticed.

Section 8 provides that publication in the Federal Register shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law.

Section 9 provides that the purposes for which appropriations are available and are authorized to be made under section 10 of the act entitled “An act to establish a National Archives of the United States Government, and for other purposes” (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this bill.

Section 10 provides that the provisions of section 2 of this bill shall become effective 60 days after the date of approval of this bill and the publication of the Federal Register shall begin within 3 business days thereafter.

Section 11 makes provision for and sets forth rules governing the publication of a special or supplemental edition or issue of the Federal Register.

Section 12 excludes treaties, conventions, protocols, and other international agreements or proclamations thereof by the President from the provisions of this bill.

Section 13 provides that all acts or parts of acts in conflict with this act are repealed insofar as they conflict therewith.

Section 14 provides that this act may be cited as the “Federal Register Act.”
Provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

July 11, 1935.—Ordered to be printed.

Mr. Sumners, from the committee of conference, submitted the following:

CONFERENCE REPORT

[To accompany H. R. 6323]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6323) to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5, and agree to the same.

Hatton W. Sumners,
Emanuel Celler,
Randolph Perkins,
Managers on the part of the House.

Alben W. Barkley,
Kenneth Mckellar,
Peter Norbeck,
Managers on the part of the Senate.
STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6323) to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment is to section 2, and strikes out "at all hours for that purpose" after the word "open" and inserts "for that purpose during all hours of the working days when the Archives Building shall be open for official business. The effect of the amendment is to change the requirement that the division should be open at all hours to receive documents for filing to the requirement that the division should be open for that purpose during the entire time when the Archives Building is open for official business.

Amendment No. 2: This amendment strikes out "by the Archivist" after the word "required" in section 3. The effect of this amendment is to provide that it is the duty of the Public Printer to make available the facilities of the Government Printing Office in the manner and at the times required in accordance with the provisions of the act rather than in the manner and at the times required by the Archivist in accordance with the provisions of the act.

Amendment no. 3: This amendment is in section 7, and after the words "shall be" the word "effective" is replaced by the word "valid." This change was made to avoid the possibility of ambiguity. Documents which are valid only when filed as required in the act may relate back and be effective as from a date prior to the date of filing.

Amendment no. 4: This amendment is in section 9, and strikes out "by the general appropriation to the Government Printing Office and such appropriation is hereby made available, and is authorized to be increased by an amount equal to the amount so covered into the Treasury and such additional sums as are necessary, for such purposes," and inserts in lieu thereof, "by the appropriations to the Government Printing Office and such appropriations are hereby made available, and are authorized to be increased by such additional sums as are necessary for such purposes, such increases to be based upon estimates submitted by the Public Printer." The effect of this amendment is to make the appropriations available for the purpose of the act accord better with the existing accounting system of the Government Printing Office.

Amendment no. 5: This amendment is in section 10 and adds after the word "thereafter" the following proviso: "Provided, That the appropriations involved have been increased as required by section 3 of this act." The effect of this amendment is to modify the time...
when the provisions of section 2 of the act should become effective so as not to require publication before the necessary appropriations are available.

To all of these amendments, the House recedes.

HATTON W. SUMNERS,
EMANUEL CELLER,
RANDOLPH PERKINS,
Managers on the part of the House.
I discussed with the author of this measure, the gentleman from New York [Mr. Celler], the committee amendments were agreed to.

Mr. Jenkins of Ohio, Mr. Dirkson, and Mr. Wlocott objected.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

**CONSENT CALENDAR**

**LOSS OF UNITED STATES CITIZENSHIP**

The Clerk called the next bill, H. R. 5799, to declare that a citizen of the United States who votes in a political election in a foreign state loses his citizenship.

Mr. Withrow, Mr. Jenkins of Ohio, Mr. Dirkson, and Mr. Wlocott objected.

**PACIFIC EXPOSITION OF 1938 AT LOS ANGELES**

The Clerk called the next joint resolution, House Joint Resolution 164, authorizing the President to invite foreign countries to participate in the Pacific Exposition of 1938 at Los Angeles, Calif.

Mr. Taber. Mr. Speaker, I object.

Grover Cleveland.

The Clerk called the next joint resolution, House Joint Resolution 147, authorizing the erection of a monument to John Adams in Washington, D. C.

Mr. Ziocheck. Mr. Speaker, I ask unanimous consent that this bill may be passed over until the Chairman of the Library Committee, the gentleman from Illinois [Mr. Kilmer], is present, to be returned upon his return. I do this at the request of the Chairman of the Library Committee.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

**REPARTITION OF NATIVE-BORN WOMEN**

The Clerk called the next bill, H. R. 4534, to repatriate native-born women who have heretofore lost their citizenship by marriage to an alien, and for other purposes.

Mr. Gearhart. Mr. Speaker, I object.

Mr. Dickstein. Mr. Speaker, will the gentleman withhold his objection a moment?

Mr. Bacon. Mr. Speaker, I demand the regular order.

The SPEAKER. Objection is heard.

**CUSTODY OF FEDERAL PROCLAMATIONS, ORDERS, REGULATIONS, ETC.**

The Clerk called the next bill, H. R. 6323, to provide for the custody of Federal proclamations, orders, regulations, notices, and other papers, and for the prompt and uniform printing and distribution thereof.

Mr. Truax. Mr. Speaker, reserving the right to object, I discussed with the author of this measure, the gentleman from New York [Mr. Celler], an amendment to this bill, and the amendment is acceptable to the gentleman from New York.

I would propose to strike out in line 9, on page 1, the words "there shall be at the head of the" and then strike out all of lines 1, 2, 3, 4, and 5 on page 2.

I am informed that this work can be well handled by the present Assistant Director of Archives and will require no additional appropriation or no authorization by the President with respect to the appointment of a new director to handle the work.

Mr. Celler. I thought we had agreed only that the salary of $6,000 would be stricken out. I agreed, however, most reluctantly and, indeed, not from choice, but simply to get the bill considered and not to have objections voiced against the bill. In view of the importance of the work to be done under the bill, I do hope the gentleman will not press his objection to the appointment of a director of division to handle this work. A tremendous task will be thrust upon such a gentleman. This position will require a great deal of skill and knowledge of law and codification. I understood the gentleman's main objection was to the salary that would be paid. The work probably could be conferred upon an assistant in the Archives Bureau, who might already have been appointed, and this would be among his tasks and duties, but to strike out the whole provision would destroy the symmetry of the bill, because in other places we mention a Director of Division. I do hope the gentleman will not press the striking out of all the words he has indicated.

Mr. Truax. I would call the gentleman's attention to the fact that in the section remaining in the bill a new appointment could be appointed and receive a salary of, say, $10,000 a year. There is absolutely no protection there; and I would also remind the gentleman that 1 year ago, when we passed a bill which, as I recall, was on the Consent Calendar, authorizing the appointment of a Director of Archives, at a salary of $10,000 per year, I made the assertion that it would be unfair if we could select someone one of the 70,000 employees already on the pay roll in Washington without importing a new man to handle this work.

Mr. Celler. I am in thorough sympathy with the gentleman's endeavor to save money for the Government, but, as I have stated, in view of the fact that in other parts of the bill we mention a Director of Division, for example, at page 5, line 21, where the words "Director of the Division" are used, the whole fabric of the bill is sort of built around a Director of Division together with an appointee of the Attorney General and an appointee of the Government Printer. Strike out all the gentleman wants and you do much to destroy the bill.

Mr. Truax. Would the gentleman agree to an amendment stating "no other salary than those already provided for"?

Mr. Celler. In view of the importance of the bill I would be in the position of being compelled to take the half loaf if I could not get the full loaf and I would be agreeable to that request, although again I yield most reluctantly.

Mr. Woodrum. Mr. Speaker, I am very much interested in the discussion and particularly interested in the bill. I would like to call the attention of the gentleman from Ohio to the fact that this bill sets up an entirely distinct and separate feature in the Archives establishment, different from anything contemplated in the original Archives Act. It seems to me if we are going to get any benefit out of this measure, and we ought to get great benefit out of it, there should be some person specially selected whose duties and responsibilities would be the carrying out of the provisions of this bill alone, in no way connected with the preservation of the national archives.

Mr. Truax. I understand there is already employed a gentleman who is qualified to handle this particular work.

Mr. Woodrum. If he is in the Archives establishment now receiving other pay, and I may say that if we are to get the full benefits of this bill there ought to be someone assigned to do this particular work. I know it has been the gentleman's experience as a legislator that if you want a good job done you have got to get a good man to do it and it cannot be done for nothing.

Mr. Truax. I agree with the gentleman about that.

Mr. Woodrum. There are no funds in the appropriation for the Archives establishment for this particular work.
There shall be at the head of the Division, a director, appointed by the President, who shall act under the general direction of the Archivist of the United States in carrying out the provisions of this Act. Such regulations prescribed hereunder with the approval of the President, to be published in the Federal Register, shall provide for the custody of Federal documents, orally or authorized to be published under section 5, shall be filed with the Division, which shall be open at all hours for that purpose. The Division shall have the right to publish and distribute for the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5.

SEC. 2. The original and two duplicate originals or certified copies of each document required or authorized to be published under section 5 shall be filed with the Division, which shall be open at all hours for that purpose. The Division shall have the right to publish and distribute for the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5.

Mr. TRUAX. May I say to the gentleman from Virginia, who is a distinguished member of the Committee on Appropriations, that the gentleman from New York (Mr. Celler) has already agreed to the striking out of all of line 5 and part of line 6, with the intention that if the position can be taken care of by the present personnel, without any extraordinary salary or appropriation, it will be done.

Mr. WOODRUM. That, of course, is agreeable to me. The gentleman from New York (Mr. Celler) has done pioneer work on the bill, and I readily accede to anything that is done.

Mr. Celler. I agree, provided we do not strike out "Director of Division"; but I yield most grudgingly and hope the gentleman will not press his suggestion.

Mr. WOODRUM. Oh, I think the position ought to be left in the bill.

Mr. SUMMERS of Texas. May I say to the gentleman from Ohio (Mr. Truax), he is familiar, of course, with the fact that the demand for this particular legislation has grown out of the fact that an enormous number of rules and regulations have been issued about which nothing has been known by the public at the time.

Mr. TRUAX. Dose not the gentleman think that the demand for this particular legislation has grown out of the fact that an enormous number of rules and regulations have been issued about which nothing has been known by the public at the time.

Mr. Celler. I think that the demand for this particular legislation has grown out of the fact that an enormous number of rules and regulations have been issued about which nothing has been known by the public at the time.

Mr. TRUAX. I made that observation a while ago.

Mr. SUMMERS of Texas. To be frank with the gentleman, the bill came to the Committee on the Judiciary from the Department of Justice. It was prepared by those who had charge of this particular activity, and the amount of money provided for originally was $7,500.

The committee went into the matter very thoroughly and felt that the compensation should not exceed $6,000—that would be enough compensation to put in the bill. It did not say that the salary must be $6,000 but not more than $6,000.

Personally, I am apprehensive that to strike out the language in the bill would be to strike out the limitation. We did not know whether they could get a man for a less amount of money who was qualified, and we did not want to pay him any more than that. I hope my friend will not insist on striking it out.

Mr. TRUAX. Does not the gentleman think that somebody might be obtained who was well qualified for four or five thousand dollars? I think we have a lot of such persons in the State of Ohio well qualified for the job.

Mr. Speaker. I ask unanimous consent to withdraw my former amendment and offer another in lieu thereof.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

A bill to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof.

Be it enacted, etc., That the Archivist of the United States, hereinafter referred to as the "Division," is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under section 5.
and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public. (2) the necessity of the contents to be published in individual copies, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

Sec. 7. No document required under section 5 (a) to be published in the Federal Register shall be effective as against any person who has not had actual knowledge thereof until the duplicate originals of such document shall be filed with the division and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically provided by law, no such filing of a document, required or authorized to be published under section 5, shall, except in cases where notification in the printed notice is insufficient in law, be deemed to have been duly given to all persons residing within the continental United States (not including Alaska) except in cases where notification by publication is insufficient in law, when such notice is published in the Federal Register at such time that the period prescribed, for the effectiveness of any notice, is not less than 15 days when no time for publication is specifically prescribed by the act, without prejudice to the effectiveness of any notice less than 15 days where such shorter period is reasonable.

Sec. 8. Whenever notice of hearing or of opportunity to be heard is required or authorized to be given by or under an act of Congress, such notice shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska) except in cases where notification by publication is insufficient in law, when such notice is published in the Federal Register at such time that the period prescribed, for the effectiveness of any notice, is not less than 15 days when no time for publication is specifically prescribed by the act, without prejudice to the effectiveness of any notice less than 15 days where such shorter period is reasonable.

Sec. 9. Every payment made for the Federal Register shall be covered into the Treasury and such additional sums as are necessary, for such purposes. The purposes for which such receipts are made available shall be distributed without charge to Members of Congress, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, and compiled, the number which shall be distributed to Members of Congress, officers and employees of the United States, or any Federal agency for their official use, and the number which shall be available for distribution to the public. (2) the necessity of the contents to be published in individual copies, and subscriptions to, the Federal Register and reprints and bound volumes thereof.

Sec. 10. The provisions of section 2 shall become effective 90 days after the date of approval of this act and the publication of the Federal Register shall begin within 90 days thereafter. The limitations upon the effectiveness of documents required, under section 3 (a), to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated prior to the date when such document is first required by this or any subsequent act of the Congress or by Executive order to be published in the Federal Register.

Sec. 11. Within 6 months after the approval of this act each agency shall prepare and file with the Federal Register for publication a list of all documents which have been issued or promulgated prior to the date documents are required or authorized by this act to be published in the Federal Register, which are still in force and effect and relied upon by the agency as authority for, or invoked or used by it in the discharge of, any of its functions or activities. The committee shall, within seven days from receipt thereof, transmit to the President, who shall determine whether such documents are of general applicability and legal effect, and shall authorize the publication thereof in a special or supplemental edition of the Federal Register. Such special or supplemental edition of the Federal Register shall be distributed in such manner as regular editions or issues, and shall be included in the bound volumes of the Federal Register as supplements thereto.

Sec. 12. Nothing in this act shall be construed to apply to treaties, conventions, protocols, and other international agreements or proclamations thereof by the President.

Sec. 13. All acts, parts, or sections of this act which are hereby repealed insofar as they conflict herewith.

Sec. 14. This act may be cited as the “Federal Register Act.”

Mr. TRUAX. Mr. Speaker, I offer the following amendment:

The Clerk read as follows:

Page 2, line 4, after the word “hereunder,” strike out the following: “...who shall receive a salary, to be fixed by the President, not to exceed $6,000 a year.”

Mr. ZIONCHECK. Mr. Speaker, I would like to offer a substitute amendment on the same point.

Mr. TRUAX. Mr. Speaker, I repeat the statement I made a while ago. One year ago, when the bill authorizing the creation of this new position of Superintendent of Archives was under consideration, I said then it was not necessary to import a specialist to handle this job at a salary of $10,000 a year, nor is it necessary today to import a specialist at a salary of $6,000 a year to handle this particular job. It seems to me that with all of the thousands of employees who are employed alone in the Government Printing Office, there should be found one man, or perhaps a woman, eminently qualified for this position at a salary perhaps of three or four thousand dollars a year. One of the pledges of our party in that historic convention held in Chicago in 1932 was a solemn promise of the people of this country to cut down bureaucracy and reduce bureaucratic expense. If I recall that convention correctly, we pledged in our party platform a reduction of at least 25 percent of the bureaucratic expenses of this Nation. In particular, we have increased vastly the positions now being held by the bureaucrats and the salaries they are drawing.

I am informed that the main controversy in the adoption of the report of the conference on the public-works relief bill is because of the objections of Mr. Ickes, Secretary of the Interior, to an amendment adopted by the Senate which provides that one-third of $600,000,000 shall be spent directly for labor. I was one of the few Democrats who voted "no" on the motion to recommit that conference report to the conference committee. I voted "no" because I am opposed unalterably to any further usurpation of bureaucratic power by Mr. Ickes, Mr. Hopkins, or any of the other "four horsemen."

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. TABER. If they would repeal the N. R. A. and A. A. A. and a few of those racketeers, we would not need this bill at all.

Mr. TRUAX. Mr. Speaker, I do not favor the repeal of the N. R. A., because it contains provisions that are beneficial to American labor, such as the abolition of child labor, the outlawing of "yellow dog" contracts, and the right of labor to collective bargaining. There is much more good in the N. R. A. than there is bad, and therefore I favor, and shall vote for, its retention.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. MARCANTONIO. And I think the gentleman is in accord with me, that the interpretation of the labor provisions of the N. R. A. have been against labor, and those interpretations are being used to regiment labor to a low standard of living.

Mr. TRUAX. Mr. Speaker, I am in accord with the gentleman’s statement. I sit on the Committee on Labor with the gentleman. We had Mr. Richberg testify before our committee and we have legislation now in our committee which we have reported favorably for passage that will correct that situation and make section 7 (a) what it is intended to be, a protection for the rights of American labor.

Mr. MICHELET. Mr. Speaker, will the gentleman yield?

Mr. TRUAX. Yes.

Mr. MICHELET. Will the gentleman please get back to the bill that we are discussing.

Mr. TRUAX. Yes.

Mr. MICHELET. And tell us what he thinks about that amendment which he has suggested.

Mr. TRUAX. My amendment?

Mr. MICHELET. Yes.
Mr. TRUAX. I am for it 100 percent. I think it should be adopted by the House.

Mr. MICHERNER. Will the gentleman yield further?

Mr. TRUAX. Yes, Mr. Speaker.

Mr. MICHERNER. Following the gentleman's views, does he not think that we should go a little further and put the employees of this new bureau under civil service. If we did that, then we could find a person at the salary the gentleman has suggested.

Mr. TRUAX. Does the gentleman mean by putting them under civil service that that will mean Republican appointments by the Republican bureaucrats?

Mr. MICHERNER. Oh, no.

Mr. TRUAX. That has been my experience. I have found that many times whenever you place employees under civil service, it means the appointment of Republicans, regardless of merit.

Mr. MICHERNER. The only way that that could be possibly true would be because only Republicans are competent.

Mr. TRUAX. I ask the Members of this House to adopt this amendment. It eliminates the necessity for going cut into some other State, possibly New York, and importing a specialist at a salary of $6,000 a year, when we have men right in the departments here who are well qualified and have all the specialization that is necessary to handle the job.

Mr. CELLER. Mr. Speaker, I rise in opposition to the amendment. I sympathize thoroughly with the aims and aspirations of the gentleman from Ohio [Mr. TRUAX] to keep down expenditures for the operations of various bureaus and departments of the Government. Unfortunately, the gentleman from Ohio injected into his remarks matters that are extraneous to the subject at hand. This bill has nothing to do with the usurpation of bureaucratic power by other and sundry items the gentleman advovated to. I rise to call the attention of Members of the House to the importance of this legislation.

In the first 15 months after March 4, 1933, the President alone issued 674 Executive orders, aggregating approximately 1,400 pages. This was a greater volume than that of the preceding 4 years, and nearly six times as great as that for the 39 years from 1862 through 1900. Moreover, in the first year of the National Recovery Administration 2,998 administrative orders were issued. In addition to these, the N. R. A. has adopted numerous regulations and sets of regulations only to be found in the press releases issued during this period. It is estimated that the N. R. A. alone issued in all some 10,000 pages of "law"—a greater volume than the total amount of statute law contained in the United States Code.

Aside from the tremendous number of rules and regulations issued by the Veterans' Bureau, the National Recovery Administration and the great activity of the President in the promulgation of his Executive orders, there are the many other departments and officials adding to the avalanche of executive orders, decrees, regulations, notices, and codes. The Agricultural Adjustment Administration has issued many series of regulations, some of them most complicated by amendments and supplements. There are customs regulations, internal-revenue regulations, immigration rules and regulations, postal rules and regulations, comprising several volumes, frequently amended. The Veterans' Bureau has issued two large volumes of regulations, much of the data are already out of date. There is an elaborate series of regulations under the Pure Food and Drugs Act. Pretty soon the new boards and new commissions, like the Federal Communications Commission and the Securities and Exchange Commission, will issue their myriad of executive legislation. We have mentioned only a few of the vast number of regulations that affect the general public. What can the public do to sift through the avalanche of regulations and know what they mean?

nouncements oftentimes cannot be found. As to their publication and distribution, there is utter chaos. These rules and regulations frequently appear in separate paper pamphlets, some printed on single sheets of paper and easily lost. Any attempt to compile a complete private collection of all the rules and regulations would be wellnigh impossible. No law library, public or private, contains them all. Officials of the department issuing them frequently do not know all of their own regulations. Recently, as has been pointed out by Prof. Erwin N. Griswold, of the Harvard Law School, in an article in the December 1934 issue of the Harvard Law Review, entitled "Government in Ignorance of the Law—A Plea for Better Publication of Executive Legislation", an indictment was brought and an appeal was taken by the Government to the Supreme Court before it was discovered that the regulations on which the proceeding was based did not exist. See United States v. Smith, No. 3, October Term, 1934; appeal dismissed on motion of the appellant, Oct. 1, 1934. See New York Times, Oct. 2, 1934, at p. 6.)

A committee of the American Bar Association has this to say on the subject:

"The practice of filing Executive orders with the Department of State for publication in the Federal Register is neither uniform nor regularly followed and could be really greater than above indicated. Some orders are retained or issued in the files of the Government departments, some are confidential, and some are not published at all. The publication of orders is not uniform. Some orders are made known by the issuance of telegraphic releases or otherwise; others are not. Where they are and what they are are not. There may be delay a week or more, with consequent confusion in numbering. The comparatively large number of recent orders which incorporate provisions previously promulgated in other orders may be delayed a month or more, with consequent confusion in numbering. The comparatively large number of recent orders which incorporate provisions previously promulgated in other orders may be delayed a month or more, with consequent confusion in numbering.

Such chaos and disorder concerning statutory rules and regulations demands an immediate solution. H. R. 6322 provides such a solution. There shall be an official publication called the "Federal Register", in which all rules and regulations shall systematically and uniformly be published, and such Federal Register shall be readily accessible to all parties interested. There shall be available for public use indices and tabulations of such rules and regulations.

There is not an enlightened country in the world that has not legislation of this character. I have taken the trouble to go through many volumes to discover what England does, what Canada does, and the South American countries, and France, India, New Zealand, and South Africa. They all have legislation of this character and they have had it for many years. All of this character was passed through the Parliament as far back as 1890. The London Gazette is the English publication corresponding to the Federal Register set up in my bill. When you recollect that there are these 11,000 pages of rules and regulations promulgated by the N. R. A.—and very few people know what they are or where they are—and the idea of the size of the job. Suppose any one of you had to codify and rearrange that vast amount of administrative law. You would have your hands full.

In some departments these rules and regulations take the form of mimeographed blanks, they take the form of telegraph blanks, yet many of those so-called "rules and regulations", so improperly promulgated, carry with them penalties threatening your liberties. Take the huge amount of rules and regulations issued by the Veterans' Bureau and a similar number issued by the Post Office Department, the S. E. C., the R. F. C., the F. E. R. A., the C. C. C., the H. O. L. C., and so forth. Where they are and what they are the Lord only knows. It takes a Sabbath-day journey to find a few of them, yet we know that these rules and regulations are far more important than the basic acts that we pass in this House. See how lax we have been? Shall that laxity continue?

Keep in mind that anomalous situation that arose in Texas when a man was arrested and indicted for an alleged violation of a regulation which had been repealed prior to the date of the alleged offense. Yet nobody connected with the Petroleum Code knew anything about the repeal of the regulation. The United States attorney knew nothing about it. The great Department of Justice had to move to dismiss the case.
Such proceedings make us look ridiculous. It shall not happen again. My bill is the safeguard.

Now is the time to call a halt. We should have some means by which the whole Nation may be apprised of rules and regulations promulgated, many of which carry criminal penalties, so that you and I will be safe from arrest for violating something which does not exist.

Mr. DONDERO. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. DONDERO. Does the gentleman think this will in any way encourage the continuation of legislation in that manner?

Mr. CELLER. My bill will prevent it. I think it would discourage also the so-called "wild cat" legislation by rule and regulation. Heads of bureaus will think twice and most carefully before promulgating rules. This bill has two purposes. It provides for the codification of all past rules and regulations and proper promulgation of rules and regulations in the future, and the custody of those rules and regulations in the proper place is assured, after certain notice, so that you and I may know where to find them and what they are. They will be under a division composed of a member of the Archives Department, a member of the Department of Justice, and the Government Printing Office.

(Here the gentleman concluded.)

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

Mr. BLAND. Reserving the right to object, the gentleman ought to give consideration to the fact that there are other important bills on the calendar.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. I will not use the 5 minutes.

There must be a specialist employed to supervise this work. It requires much acumen, intelligence, and skill. Originally we wanted to place this whole thing in the Library of Congress, but we found the Librarian had not the facilities to handle the situation. We wanted to save the money which the gentleman from Ohio [Mr. TRAUX] is anxious about. We then had arranged to let the Department of Justice handle it exclusively. The Attorney General said they had no facilities. We went to the Bureau of the Archives, and they said they would be glad to handle it; provided we would get a man skillful enough, well grounded, and highly intelligent, and who had a ready knowledge of departmental work. If you are going to reduce the amount of salary which we originally placed at $7,500 in the bill, down to three or four thousand dollars, you will not get the proper man to handle this work. I hope you will not reduce the salary to such a low extent that you will not get the proper talent to take care of this work. I believe $6,000 is the proper amount.

Mr. HEALEY. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. HEALEY. Is it true that an ordinary clerk of a small court or the clerk of a city or town receives in the vicinity of three or four or five thousand dollars a year salary for the type of work he does?

Mr. CELLER. That is true.

Mr. HEALEY. And this man will have all of these very valuable documents, affecting all of the people in our country and our Government, under his jurisdiction?

Mr. CELLER. That is true.

Herewith I give you a synopsis of the bill by sections:

Section 1 provides that the Archivist of the United States shall be the custodian, and, together with the Public Printer, with the prompt and uniform printing and distribution of the documents required or authorized to be published under the provisions of the bill. This section further provides that the provisions of the bill shall be carried out under the supervision of a director, appointed by the President, who in turn shall act under the general direction of the Archivist of the United States.

Section 2 provides for the filing with the division in charge, of the original and two duplicate originals or certified copies of any documents required or authorized to be published under section 4 of the bill. Further provision under section 2 is made that the original be retained in the archives of the National Archives Establishment and that one duplicate, original, or certified copy thereof be immediately transmitted to the Government Printing Office for printing.

Section 3 provides for the printing and distribution by the Government Printing Office of a serial publication designated the "Federal Register," to be distributed daily except Sundays, Mondays, and days following legal holidays. It is further provided in section 3 that the contents of the daily issue shall comprise all documents filed with the Division up to such time of the day immediately preceding the day of publication. The method of distribution of, and the prices to be charged for, the Federal Register are also provided for in section 3.

Section 4 sets forth the documents required or authorized to be filed in the Division and to be published in the Federal Register.

Section 5 (a) makes specification as to which Presidential proclamations and Executive orders shall be published in the Federal Register, as well as to which document or classes of documents are to be published.

Section 5 (b) further provides for the publication in the Register of certain other documents or classes of documents.

Section 6 provides for the establishment of a permanent administrative committee of three members, which committee, consisting of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer, shall prescribe, with the approval of the President, regulations for carrying out the provisions of the bill. The provisions of such regulations are also set forth in section 6.

Section 7 provides that the Federal Register shall be judicially noticed.

Section 8 provides that publication in the Federal Register shall be deemed to have been duly given to all persons residing within the continental United States (not including Alaska), except in cases where notice by publication is insufficient in law.

Section 9 provides that the purposes for which appropriations are available and are authorized to be made under section 10 of the act entitled "An act to establish a National Archives of the United States Government, and for other purposes" (48 Stat. 1122) are enlarged to cover the additional duties placed upon the National Archives Establishment by the provisions of this bill.

Section 10 provides that the provisions of section 2 of this bill shall become effective 60 days after the date of approval of this bill and the publication of the Federal Register shall begin within 3 business days thereafter.

Section 11 makes provision for and sets forth rules governing the publication of a special or supplemental edition or issue of the Federal Register.

Section 12 excludes treaties, conventions, protocols, and other international agreements or proclamations thereof by the President from the provisions of this bill.

Section 13 provides that all acts or parts of acts in conflict with this act are repealed in so far as they conflict therewith.

Section 14 provides that this act may be cited as the "Federal Register Act."

I yield back the balance of my time, Mr. Speaker.

Mr. ZIONCHECK. Mr. Speaker, I offer a perfecting amendment.

The Clerk read as follows:

Amendment offered by Mr. ZIONCHECK: Page 2, line 5, strike out "$6,000" and insert in lieu thereof "$5,000."

Mr. ZIONCHECK. The only reason I do this is to let the House say whether they will limit the salary to $5,000 or $6,000.

The SPEAKER. The question is on the perfecting amendment offered by the gentleman from Washington.

The amendment was agreed to.

The SPEAKER. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAUX].

The amendment was rejected.
A bill to provide for the custody of Federal proclamations, orders, regulations, and official documents, and for the prompt and uniform printing and distribution thereof

Be it enacted, etc., That the Archivist of the United States, acting in accordance with the provisions of the National Archives Establishment, hereinafter referred to as the "Division", is charged with the custody and, together with the Public Printer, with the prompt and uniform printing and distribution of all documents required or authorized to be published under section 5. There shall be at the head of the Division a director, appointed by the President, who shall be the head of the government department of the United States in carrying out the provisions of this act and the regulations prescribed hereunder, who shall receive a salary, to be fixed, not to exceed $10,000 a year.

Sec. 2. The original and two duplicate originals or certified copies of any document required or authorized to be published under section 5 shall be filed with the Division, which shall be open at all hours for that purpose. The Director of the Division shall cause to be noted on the original and duplicate originals or certified copies of each such document the day and hour of filing thereof: Provided, That when the original is issued, prescribed, or promulgated otherwise than under authority of a law, regulation, or administrative order, before the filing of the original, the notation shall be of the day and hour of filing of the certified copies. Upon such filing, at least one copy shall be immediately available for public inspection in the office of the Director of the Division. The original shall be retained in the archives of the National Archives Establishment and shall be subject to public inspection and made available for public inspection under regulations to be prescribed by the Archivist. The Division shall transmit immediately to the Government Printing Office for printing, as provided in this act, one certified or certified copy of such document. Such documents authorized to be published under section 5. Every Federal agency shall cause to be transmitted for filing as herein required all documents required or authorized to be published under this act, and the regulations prescribed hereunder shall provide that each copy submitted to the Division shall contain a certified copy of each document required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be accompanied by such notice as the Archivist may prescribe to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner required of the Archivist by the provisions of this act and the regulations prescribed hereunder. The contents of the daily issues shall be indexed and shall contain a statement less than 10 words prescribing the document, filed with the Division up to such time of the day immediately preceding the day of distribution as shall be fixed by regulations prescribed hereunder. The prices to be charged for the Federal Register may be fixed by the administrative committee established by section 2 of this act without authority to the Archivist, and placed upon and fixed for the sale of Government publications by section 1 of the act of May 11, 1922, and section 307 of the act of June 18, 1912, (S. C. title 44, secs. 72 and 72a), and any amendments thereto.

Sec. 3. All documents required or authorized to be published under section 5 shall be distributed forthwith by the Government Printing Office in a serial publication designated the "Federal Register". It shall be the duty of the Public Printer to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register in the manner required of the Archivist by the provisions of this act and the regulations prescribed hereunder. The Archivist shall define the effect of the provisions of this act and the publication of the notice by the appropriate Federal Register. The Archivist shall cause the Federal Register to be published in the Federal Register mailed by the Public Printer, or any other department, independent board, or other Federal agencies, and the term "person" means any individual, partnership, association, or corporation.

Sec. 4. As used in this act, unless the context otherwise requires, the term "Executive order" means a presidential proclamation, Executive order and any order, regulation, rule, certificate, code of fair competition, license, notice, or similar instrument issued, prescribed, or promulgated by a Federal agency; the term "Federal agency" or "agency" mean the President of the United States, or any agency or department of the Government, or any board, bureau, agency, institution, commission, or separate office of the administrative branch of the Government of the United States not the legislative or judicial branches of the Government; and the term "person" means any individual, partnership, association, or corporation.

Sec. 5. All proclamations and executive orders, except such as have no general applicability and legal effect or are effective only against Federal agencies or persons in their capacity as officers, agents, or employees thereof, (2) such documents or classes of documents promulgated by the President shall be removed from the files of the Executive Office within 6 months from the date of promulgation, or whenever the President determines that the document or class of documents is no longer needed as an aid in the administration of the Federal Department and is not likely to be needed again, or whenever the provisions of this act shall be specified in the law which created the document or class of documents or the department which is responsible for the document or class of documents, or whenever the document or class of documents is no longer needed to inform the President or the Congress of the activities of the Federal Department.

Sec. 6. The provisions of section 2 shall become effective 30 days after the date of approval of this act and the publication of the Federal Register shall begin within 3 business days thereafter. The limitations upon the EFFECTIVENESS of documents required, under section 5, to be published in the Federal Register shall not be operative as to any document issued, prescribed, or promulgated by a Federal agency unless the document or class of documents is first required by this or subsequent act of the Congress or by Executive order to be published in the Federal Register.

Sec. 7. No document required under section 5 (a), to be published in the Federal Register shall be effective as against any person who has not had actual knowledge thereof until 15 days after the publication thereof. All such persons who have not had actual knowledge thereof must be notified of the said document, and a copy made available for public inspection as provided in section 2; and, unless otherwise specifically prescribed by statute, such filing of any document, required or authorized to be published under section 5, shall, except in cases where notice by publication is insufficient in law, be accompanied by such notice as the Archivist may prescribe to make available the facilities of the Government Printing Office for the prompt printing and distribution of the Federal Register. Such regulations shall provide, among other things, that (a) the manner in which such regulations are to be published in the Federal Register, (b) the number of copies of the Federal Register which shall be printed, reprinted, compiled, indexed, bound, and distributed; (c) the number of copies of the Federal Register which shall be printed, reprinted, compiled, indexed, bound, and distributed; (d) the number of copies of the Federal Register which shall be printed, reprinted, compiled, indexed, bound, and distributed; (e) the prices to be charged for individual copies of, and subscriptions to, the Federal Register and reprints and bound volumes of the Federal Register; and (f) such other regulations as may be necessary for the effective publication of this act.
Sec. 12. Nothing in this act shall be construed to apply to treaties, conventions, protocols, and other international agreements, or proclamations thereof by the President.

Sec. 13. All acts or parts of acts in conflict with this act are hereby repealed insofar as they conflict herewith.

Sec. 14. This act may be cited as the "Federal Register Act."

Mr. CANNON of Missouri. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the bill (H. R. 6359) relating to repeal of publicity of income-tax returns has been sent to conference and the conference will meet in the near future to consider the Senate amendment.

As there has been no opportunity to debate the amendment in the House I wish to call attention to its importance and to express the hope that the House conference will recede and agree to it in conference.

The Senate amendment provides:

(1) All returns filed under this title shall be open to examination by any official, body, or commission of any State or political subdivision thereof lawfully charged with the administration of any State or local tax laws and while engaged in the performance of official duties. Such examination shall be made in a manner prescribed by the Commissioner and approved by the Secretary of the Treasury.

(2) Any information thus secured by an official, body, or commission of any State or political subdivision thereof shall be used only in connection with the administration of State or local tax laws and for no other purpose. Any such official or employee or agent of any such body or commission who divulges, except in the performance of official duties, or who discloses any such information to any court or official proceeding, any information acquired by him through examination of such income-tax returns, shall be guilty of a misdemeanor and shall upon conviction be punished by a fine not less than $500 and not more than $1,000.

This is a most salutary provision, Mr. Speaker. While protecting the returns from scrutiny by the general public as provided by the House bill, it affords the tax authorities of States which impose a State income tax an opportunity to compare State and Federal returns and thereby discourages evasion of the State law and insures a maximum State revenue from this source.

The importance of this provision is indicated by the fact that in my own State inspection of Federal income-tax returns by the State taxing authorities brought in an additional $400,000 last year which otherwise would not have been collected. The Senate amendment, while affording ample protection from official inspection, is the most effective aid in the enforcement of State income-tax laws that could be enacted. (Applause.)

Mr. Speaker, the Senate amendment is revenue with which to match Federal contributions—contributions for Federal relief, contributions for old-age pensions, contributions for the building of State roads, contributions to insure the maintenance of our schools and equal educational facilities to the children of every American citizen. There is hardly a State in the Union that is not hard pressed for funds to finance one or all of these essential activities, and agreement by the House conference to the Senate amendment will do more for the aged and the needy, to relieve unemployment and to provide for the proper training of the next generation than anything else that could be done in this connection.

A provision of this character, contributing to the enforcement of State income-tax laws, will to that extent protect the consumer against the necessity for the imposition of irksome and burdensome sales taxes to which some States are having to resort in order to provide for these purposes.

I sincerely trust the House conference will agree in conference to the Senate amendment and am certain the House will be inclined to favor such a report if opportunity is afforded.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, I understand the general character of the Amendments (by Mr. Healey) states that in no way will this bill be detrimental to labor or labor disputes, or in any manner authorize State compacts of that kind.

Mr. HEALEY. Mr. Speaker, as a matter of fact, this resolution is designed to protect the interests of labor. I have a letter from the president of the American Federation of Labor, Mr. Green, the last paragraph of which reads as follows:

Secretary Watts states that the resolution deserves the support of labor. I concur in this position. I am glad to advise you in this way.

This letter is signed by William Green, president American Federation of Labor.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. HEALEY. I yield.

Mr. WOLCOTT. I think there is an ambiguity in section 2 which should be cleared up. I am asking these questions merely to accomplish the legislative intent of the author of the bill. Is it the gentleman's understanding that the last sentence requires that these bills be sent to Congress for the approval of Congress before they become effective?

Mr. HEALEY. That is absolutely so. There is not a safeguard that already exists that is not included in this particular bill.

Mr. WOLCOTT. After the States have entered into the compacts and their legislatures have ratified them they must then be ratified by Congress?

Mr. HEALEY. The gentleman is correct.

Mr. WOLCOTT. That is the object of the bill.

Mr. HEALEY. The objects of the bill are manifold. Sections 1 provides that upon the request of the States negotiating under this act the President may designate a representative to attend upon such negotiations. This is new and confers a right upon the States to request that a representative of the Government be present during the negotiation of the pact. The bill also is designed to encourage and support the policy of States entering into agreements and compacts with each other and in groups for the purpose of agreeing upon and securing uniform legislation affecting the relation of employer and employees.

Events of the past 3 or 4 years have demonstrated that there is a necessity for a more effective method of conserving the economic and social interests of the citizens of the several States. The migration of factories from State to State has become all too common. The causes of this migration can be found principally in the effort to discover locations where the most lenient industrial legislation exists. States which have enacted regulatory legislation for the betterment of working conditions in its industries find themselves sorely handicapped in competition with those States which have less stringent industrial legislation. This condition has become accentuated during the depression. This situation has resulted in a general lowering of standards. Advances which have taken years to accomplish are in danger of being swept away.

This legislation will afford the States an opportunity to reach a solution of problems confronting them by their own efforts and by mutual cooperation. The members of the Judiciary Committee, which unanimously reported this resolution, believe such efforts should be encouraged in every way. Favorable action by Congress on this resolution is a significant step in the direction of indicating our desire for higher standards of industrial legislation.

The compacts may provide for considerable flexibility of legislative and administrative detail which will leave the several States free to draft their own legislative and administrative decrees in common without restrictive details in the compacts themselves. Provision may be made for continuing modification in the light of experience in that operation.

Compacts between States have hitherto been concerned with the natural or physical resources of the various States that have entered into them, while compacts envisaged under this resolution will be concerned with social
Mr. SMITH. Mr. President, I should like to give notice now that I am ready to bring up the Senate consideration of the naval appropriation bill for 1897.

Mr. W. Y. UNDERWOOD. The Senate proceeded to consider the bill (S. 2616) with the relief of the estate of Joseph Y. Underwood, which had been reported from the Committee on Claims with amendments, on page 1, line 7, to insert in lieu thereof $10,000, and to add a proviso at the end of the bill, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is, authorized and directed to pay, out of any money appropriated to the Treasury not otherwise appropriated, to Robert C. Underwood, of the estate of Joseph Y. Underwood, deceased, the sum of $10,000, in full satisfaction of all claims of such estate against services rendered by such Joseph sale of 15 wooden vessels in 1880 and 11 wooden vessels in January 1890 by the United States Shipping Corporation, amount appropriated in this bill shall be paid or delivered to attorney or attorneys, on accounts rendered on an account for services rendered in connection with said claim. It shall be unlawful for any agent, attorney, or attorneys to exact a sum of the amount specified therein in connection with said services claim, any contract to the contrary, and the provisions of the bill have been referred to the calendar.

Mr. PARKER. I ask unanimous consent that the vote of the end of this bill, so as to make the bill read:

Be it enacted, etc., That the President pro tempore. Is there objection? The Chair hears none, and it is so ordered. The bill will be returned to the calendar.

Mr. BARKLEY. I may ask the privilege of having the bill considered later.

THADDEUS C. KNIGHT.

The bill (H. R. 2294) for the relief of Thaddeus C. Knight was considered, ordered to a third reading, read the third time, and passed.

FRANCIS AGRAMONTE.

The bill (S. 2472) to pay an annuity to Frances Agramonte, widow of Dr. Artides Agramonte, member of the Yellow Fever Commission, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts annually as may be necessary to pay, during the remainder of her natural life, the sum of $15 per month to Frances Agramonte, widow of the late Dr. Artides Agramonte, deceased, who was a member of the Yellow Fever Commission, and whose name appears on the roll of honor for the participants in the Yellow Fever investigations in Cuba, and published annually in the Army and Navy Journal, being the same hereof paid to Dr. Artides Agramonte, pursuant to the provisions of the public act approved February 28, 1900, entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever."

JACK DOYLE.

The bill (S. 166) for the relief of Jack Doyle was announced next in order.

Mr. KING. Let that go over.

The PRESIDENT pro tempore. The bill will be passed over.

ADDITIONAL DISTRICT AND CIRCUIT JUDGES.

The Senate proceeded to consider the bill (S. 317) to provide for the appointment of two additional judges of the District Court of the United States for the Southern District of California, and for other purposes, which was read, as follows:

Be it enacted, etc., That the President is hereby authorized to appoint, by and with the consent of the Senate, two additional judges of the District Court of the United States for the Southern District of California, who shall possess the same powers, perform the same duties, and receive the same compensation as the present judges of said district.

SEC. 2. In the event a vacancy occurs in the office of the district judge in any district of the United States in which is held the trial of the cases now pending, and who was appointed under the act of September 14, 1922, such vacancy, and succeeding vacancies in the same district, shall be filled without further action by Congress.

Mr. KING. Mr. President, the Judiciary Committee this morning had this measure under consideration, as well as another measure which calls for the appointment of a judge of the Circuit Court for the Ninth Judicial Circuit. It was understood that I was to ask for the consideration of the bill, with the amendment to which I have just referred, and if the Senator from Wisconsin (Mr. McCARRAN) would offer the amendment I should be very glad to receive it, and then ask for the passage of the bill.

Mr. McCARRAN. Mr. President, on page 1, line 8, after the word "district", I move to insert the words "and one additional judge of the Circuit Court of the United States for this Ninth Judicial Circuit, by and with the advice of the Senate."

I should like to say in this respect, supplementing the expressions of the Senator from Utah, that both of these provisions are approved by the Department of Justice.
Mr. COPELAND. That is correct. It simply includes poultry within the act as other animal products are now included.

Mr. KING. Mr. President, I am so much opposed to the bureaucratic methods of many of the departments that I am very much afraid that this is an attempt to usurp authority which belongs to the State and should remain within the State.

Mr. COPELAND. I shall be very glad to have the Senator further consider the matter, and if he shall conclude that we should reconsider the action by which the bill is passed, I shall be willing to have that done.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COMPENSATION OF REGISTRARS OF DISTRICT LAND OFFICES

The Senate proceeded to consider the bill (S. 2381) to fix the compensation of registrars of district land offices, which had been reported from the Committee on Public Lands and Surveys without committee action, as follows:

Be it enacted, etc., That the act entitled "An act to fix the compensation of registrars of local land offices, and for other purposes", approved April 29, 1898, ch. 681, p. 684, is hereby amended to read as follows: "The act from and after the 1st day of the month following the approval of this act the compensation of registrars of district land offices shall be a salary of $3,000 per annum each, and all fees and commissions now allowed by law to such registrars, but the salary, fees, and commissions of such registrars shall be not less than $3,000 per annum. That the salary of the registrar of the Juneau land district, Alaska, shall be $3,000 per annum."

Mr. ROBINSON. Mr. President, I think the bill should be discussed. It appears that it provides for an increase in the salaries of registrars of district land offices. I think there should be an explanation why it is proposed to increase all those salaries.

Mr. O'MARONEY. Mr. President, the bill merely increases the minimum salary which is paid to registrars of land offices. Under the present law the salaries of registrars are derived chiefly from fees for the filing of applications arising out of claims upon the public domain. A minimum salary of $1,000, however, is fixed. By reason of the withdrawal of public lands from entry and by reason of the passage of the Taylor Grazing Act, the fees have been practically cut off. This bill merely means a guarantee of $2,000 instead of $1,000 to approximately nine officials, so it does not involve any great amount of money at all.

Mr. ROBINSON. Does the Senator find any difficulty in securing officers to hold these positions?

Mr. O'MARONEY. Of course these officers were appointed before the Executive withdrawals and before the passage of the Taylor Grazing Act.

Mr. ROBINSON. What will be the total cost of the increase?

Mr. ADAMS. Mr. President, I may say that the total increase in cost will be practically nothing. Registrars of land offices are having imposed upon them under the Taylor Grazing Act many additional duties for which they will receive no compensation. The performance of all duties herefore was paid for. There will be no increase, with the possible exception of a few land offices where the fees were not sufficient herefore to reach the $2,000 point. I think there is an aggregate increase of probably $4,000 to all the land offices.

Mr. ROBINSON. It is difficult to understand why it is necessary to raise the minimum salary of registrars from $1,000 to $2,000 and then to limit their total compensation to $3,000.00.

Mr. HATCH. Mr. President, that is the limitation in the present law.

Mr. ROBINSON. If the total effect of the increase is to cost the Government only about $4,000, I shall not object.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the bill was ordered to be engrossed for a third reading, read the third time, and passed.
The amendment was agreed to.

The amendment was agreed to.
has expired and this bill continues that privilege. This bill was passed by unanimous patriotic organization and the American Legion and Veterans of Foreign Wars have act due to the veterans who served in the World War.

Mr. SNELL. This bill has been passed by the Senate and the gentleman is asking to agree to the Senate amendments?

Mr. DICKSTEIN. Yes. The Senate feels they ought to get more time and clean up all the amendments.

Mr. SNELL. How much is it to be extended?

Mr. DICKSTEIN. One year.

Mr. BLANTON. Does it limit it to those who served in combat service in France?

Mr. DICKSTEIN. It limits it to those who served in our war.

Mr. BLANTON. To those who actually had combat service in France?

Mr. DICKSTEIN. That is true.

Mr. BLANTON. It does not permit aliens who did only a few months uniform service to have this privilege?

Mr. DICKSTEIN. I do not believe that. If the gentleman will remember—

Mr. RANKIN. Mr. Speaker, for the time being I am going to object. I think this ought to be looked into a little more carefully.

The SPEAKER. The gentleman from Mississippi objects.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2998) to authorize naturalization of certain resident alien World War veterans.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. RANKIN. Mr. Speaker, I want to say that the House has not been too much taken up and passed without due consideration if I can prevent it. I object, Mr. Speaker.

Mr. TOBEY. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. TOBEY. Mr. Speaker, the Federal Constitution makes provision for the adoption of interstate compacts between States in various portions of the country on legislation pertaining to that section. The recent decisions of the Supreme Court have focused attention upon the possibility of utilizing such compacts to enact legislation in the interest of labor, industry, and agriculture.

It is my pleasure today to introduce in this House such a compact embracing the New England States, New York, and Pennsylvania.

A meeting was held in Concord, N. H., a year ago and signed by the representatives of those States. These signatures made the compact an accomplished fact. It has now been ratified by the Legislatures of Massachusetts and New Hampshire, and when and if it shall be adopted by the Congress, it will become law. It will be the first interstate compact on labor legislation in the country. This compact, in the last analysis, provides uniform standards for conditions of employment, particularly with regard to the minimum wage.

Senator Walsh in the Senate and I in the House have today introduced this legislation, and I count it a privilege and an honor to do so in behalf of my State.

CUSTODY OF FEDERAL PROCLAMATIONS, ORDERS, REGULATIONS, ETC.

Mr. Celler. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6329) to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? (After a pause.) The Chair hears none, and appoints the following conferees: Messrs. Samuels of Texas, Celler, and Perkins.

EXCHANGE OF LANDS BETWEEN RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD CO. AND UNITED STATES AT QUANTICO, VA.

Mr. Celler. Mr. Speaker, I call up the bill (S. 1611) to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va. I ask unanimous consent that the same may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read as follows:

"Be it enacted, etc., That the Secretary of the Navy is authorized on behalf of the United States to accept from the Richmond, Fredericksburg & Potomac Railroad Co., a corporation of the State of Virginia, free from all encumbrances and without cost to the United States, all right, title, and interest in fee simple in and to the following lands, together with all the right, title, and interest in and to the platted streets and roads and riparian rights in Quantico Creek as may attach to the lots conveyed in subsection (a):

(a) Lots nos. 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 58, 59, 72, and 85 in the town of Corbinborough, county of Prince William, State of Virginia, as shown on the original plat filed with the conclusion of the exchange by the Potomac & Manassas Railroad Co. by deed dated August 16, 1871, recorded January 1, 1872, in the clerk's office of Prince William County in deed book no. 28, page 452, and from thence, by deed dated November 24, 1883, recorded in the clerk's office, Prince William County, on December 8, 1883, in deed book no. 34, page 452, which portion is more particularly designated and described at lot no. 29-A on plan marked "V. D. 41-4, R. F. & P. R. Co. Proposed exchange of lands at..."
The President pro tempore laid before the Senate the amendments to the Senate to the amendments of the House to the bill (H. R. 6323) to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof, and requesting a conference with the Senate on the disagreeing votes of the two Houses from that Date.

Mr. BARKLEY. I move that the Senate insist on its amendments, and that the Chair appoint the conferences on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. BARKLEY, Mr. MCKELLAR, and Mr. NOREK to participate on the part of the Senate.

A message from the House of Representatives, by Mr. Halligan, one of its reading clerks, announced that the House had passed the bill (S. 1611) to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va., with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2756) authorizing the Tlingit and Haida Indians of Alaska to bring suit in the United States Court of Claims, and conferring jurisdiction upon said court to hear, examine, adjudicate, and enter judgment upon any and all claims which said Indians may have, or claim to have, against the United States, and for other purposes.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7160) to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endorsement and support of land-grant colleges; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Jones, Mr. Pulaski, and Mr. Hope were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6323).
Calendar No. 1032, being the joint resolution (S. J. Res. 99) to regulate the issuance of passports to American citizens, was agreed to.

Calendar No. 1033, being the joint resolution (S. J. Res. 100) to prohibit the extension of foreign loans under certain conditions, was ordered.

The VICE PRESIDENT. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, referred to the following committees:

By Mr. WHEELER:
A bill (S. 3238) to provide compensation for disability or death resulting from injury to employees of contractors on public buildings and public works; to the Committee on Education and Labor.

By Mr. COPELAND:
A bill (S. 335) to amend the Emergency Relief Appropriation Act of 1935; to the Committee on Claims.

By Mr. BAILEY:
A bill (S. 3241) authorizing the adjustment of the claims of F. L. Forbes, John L. Abbott, and the Ralph Sollett & Sons Construction Co. (with accompanying papers); to the Committee on Claims.

By Mr. WALSH:
A bill (S. 3242) for the relief of Bernard F. Hickey; to the Committee on Claims.

By Mr. BYRD:
A bill (S. 3240) for the relief of Bernard F. Hickey; to the Committee on Claims.

By Mr. COPELAND:
A bill (S. 3241) authorizing the adjustment of the claims of F. L. Forbes, John L. Abbott, and the Ralph Sollett & Sons Construction Co. (with accompanying papers); to the Committee on Claims.

By Mr. WALSH:
A bill (S. 3242) for the relief of Bernard F. Hickey; to the Committee on Claims.

By Mr. BAILEY:
A bill (S. 3241) authorizing the adjustment of the claims of F. L. Forbes, John L. Abbott, and the Ralph Sollett & Sons Construction Co. (with accompanying papers); to the Committee on Claims.

By Mr. WALSH:
A bill (S. 3242) for the relief of Homer F. Stickney; to the Committee on Military Affairs.

By Mr. FRAZIER:
A bill (S. 3243) for the relief of the Indians of the Fort Berthold Reservation, N. Dak., and for other purposes; to the Committee on Indian Affairs.

AGRICULTURAL ADJUSTMENT ADMINISTRATION—AMENDMENTS

Mr. LEWIS, Mr. BURKE, and Mr. JOHNSON each submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 6622) to amend the Agricultural Adjustment Act, for other purposes, which were severally ordered to lie on the table and to be printed.

MIXED CLAIMS COMMISSION

Mr. COPELAND submitted the following resolution (S. Res. 169), which was referred to the Committee on Foreign Relations.

Whereas in response to Senate Resolution No. 161, agreed to on page 1, line 5, to strike out "64" and insert "70";

And to amend the title so as to read: "An act directing the retirement of acting assistant surgeons of the United States Navy at the age of 70 years.

Mr. WALSCH. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

CUSTODY OF FEDERAL PROCLAMATIONS, ORDERS, ETC.—CONFERENCE REPORT

Mr. BARKLEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6623) to provide for the custody of Federal proclamations, orders, regulations, notices, and other documents, and for the prompt and uniform printing and distribution thereof, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate nos. 1, 2, 3, 4, and 5, and agree to the same.

ALBEN W. BARKLEY, KENNETH MCKELLAR, PETER ALBERT, Managers on the part of the Senate.

HATTON W. SUMMERS, EMANUEL CUMMINGS, RANDOLPH FERRINGS, Managers on the part of the House.

The report was agreed to.

STATEMENT BY FRANKLIN W. FORT ON GOLD-CLAUSE BILL

Mr. BARBOUR. Mr. President, I ask unanimous consent to have printed in the Fort a very able and important statement made on July 11, 1935, by Hon. Franklin W. Fort, of New Jersey, before the Committee on Banking and Currency of the House of Representatives, of which he was for a number of years a distinguished Member. This statement refers to the so-called "gold clause" bill now before the Congress, to withdraw the protection from the citizens of the United States their right to bring suit against their Government.

There being no objection, the statement was ordered to be printed in the Record, as follows:

From olden times the right of suit has been recognized, but as freemen spread government after government, was it not found means of making it secure from their just due even from the Government? This led to scandals and abuses and this Congress in 1865 passed a joint resolution that any suit of claims against the Government be barred recoverable against the United States.

But in 1865 Congress itself set up the Court of Claims and determined by Congress, which apportioned its jurisdiction, and the Court of Claims found means of making it possible for its citizens to secure their rights against the Government.

In this country until 1935 claims against the Government might be heard and the Court of Claims finds a judgment against the United States and pays money to the claimant, but the Court of Claims, in an opinion that integrity of the Government is to be maintained, strung up the inherent right of suit against the United States, the claimant in every suit against the United States was barred recovery against the United States.

In March 1935 the Supreme Court, in a 5-4 decision in the so-called "gold clause" case, found the Court of Claims without jurisdiction in a case in which the Court of Claims had exercised its right of refusing to hear the case.

The Court of Claims has a right to pay money for claims and awards judgments in the same manner as any other court of the United States may.

The Court of Claims has a right to pay money to any person who sues against the United States and has a right to make awards, and it is not necessary for Congress to confer authority upon the Court of Claims to hear and render judgments upon suits against the United States.