

**CHAP. 412.**—An Act To establish a commission to be known as the United States Coal Commission for the purpose of securing information in connection with questions relative to interstate commerce in coal, and for other purposes.

September 22, 1922.  
[H. R. 12377.]  
[Public, No. 347.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of securing information in connection with questions relative to interstate commerce in coal and all questions and problems arising out of and connected with the coal industry, there is hereby established a governmental agency to be known and designated as the United States Coal Commission, to be composed of not more than seven members appointed by the President of the United States, by and with the advice and consent of the Senate. No member of the United States Senate or of the House of Representatives shall be eligible to serve on said commission. Said commission shall elect a chairman by majority vote of its members, shall maintain central offices in the District of Columbia, but may, whenever it deems it necessary, meet at such other places as it may determine. A member of the commission may be removed by the President for neglect of duty or malfeasance in office but for no other cause. Each member of said commission shall receive a salary of \$7,500 a year. Any vacancy on the commission shall be filled in the same manner as the original appointment. Said commission shall cease to exist one year after the taking effect of this Act.

The term "person" as used in this Act means any individual, partnership, corporation, or association; the term "coal" means anthracite, bituminous, and other coal, lignite, coke, and culm, whether in place, extracted, or banked.

It shall be the duty of said commission to investigate and ascertain fully the facts and conditions and study the problems and questions relative to the coal industry with a view to and for the purpose of aiding, assisting, and advising Congress in matters of legislation which will insure a supply of this commodity to the industries and the people generally throughout the country and maintain the uninterrupted flow of commerce among the States, or any legislation which Congress may, after said investigation, deem wise and which, under the Constitution, Congress has the power to enact.

To this end said commission shall ascertain and report to the President and Congress: As to the ownership and titles of the mines; prices of coal; the organizations and persons connected with the coal industry; cost of production; profits realized by the operators or owners of said mines during the last ten years; profits of other persons or corporations having to do with production, distribution, or sale of coal; labor costs; wages paid; wage contracts; irregular production; waste of coal; and suggestions as to the remedy for the same; the conditions generally under which coal is produced; distribution; the causes which from time to time induce strikes, thereby depriving interstate carriers of their fuel supply and otherwise interrupting the flow of interstate commerce; and all facts, circumstances, or conditions which would be deemed helpful in determining and establishing a wise and efficient policy by the Government relative to said industry.

Said commission shall, under the provisions of this Act, make a separate investigation and report for the anthracite industry, which investigation and report shall cover all of the matters specified in the last preceding paragraph, and shall cover also every other phase of the anthracite industry, including the production, transportation, and distribution of anthracite, and the organized or other relationships, if any, among the mine operators or the mine workers, or among any persons engaged in the production, transportation, or distribution of coal.

United States Coal Commission.

Established to secure information of coal industry in interstate commerce.

*Post*, p. 1446.

Composition, appointment, etc. ap-

Organization, etc.

Salaries.

To terminate in one year.

Meaning of "person" and "coal."

Investigation of facts, etc., of coal industry by, to aid legislation by Congress.

Report to be made. Information to be ascertained.

Separate investigation and report of anthracite industry. Details specified.

Recommendations to be made.  
Standardizing mine capacity, etc.

Ascertaining and standardizing living costs of mine workers, etc.

Standardizing basis for overhead cost of production, etc.

Ownership, regulation, or control.

Time for report.

On anthracite industry.

Punishment for unauthorized divulging of information obtained.

Power conferred to secure evidence from any place in United States.

Depositions, etc.

Attendance, testifying, etc., compulsory.

Personal immunity.

Perjury excepted.

Employees to have access to records, etc.

Said commission shall also submit recommendations relative to:  
(a) Standardizing the mines upon the basis of their economic productive capacity and regarding the closing down of mines which, by reason of their natural limitations, or other conditions, fall below the standard.

(b) Ascertaining and standardizing the cost of living for mine workers and the living conditions which must be supplied or afforded in order to surround the workmen with reasonable comforts, and standardizing also as far as practicable the amount of work a man shall perform for a reasonable wage, recognizing the value and effect of such surroundings in respect of their efficiency.

(c) Standardizing a basis of arriving at the overhead cost of producing and distributing the coal, including delivery at the door of the consumer, recognizing in this compilation that the standardized cost of living to the miners should be the first and irreducible item of expense.

(d) The advisability of any legislation having to do with government or private ownership, regulation or control in the coal industry.

Said commission shall render its first report and recommendations to the Congress and to the President not later than January 15, 1923. Said commission shall render its separate report on the anthracite industry on or before July 1, 1923, and shall endeavor, in said separate report and in the recommendations contained therein, regarding wages in the anthracite industry, to take into consideration the conditions obtaining up to the time when said report is made.

That any officer or employee of the commission who shall make public any information obtained by the commission without its authority, unless directed by a court, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court.

That any member of said commission shall have power to administer oaths, to subpoena and examine witnesses, and to compel the production of any book, paper, document, or other evidence, from any place in the United States, at any designated place of hearing, and to take or authorize the taking of the deposition of any person before any person having power to administer oaths. In the case of a deposition the testimony shall be reduced to writing by the person taking the deposition or under his direction and be subscribed to by the deponent. The same fees and mileage as are paid in the courts of the United States shall be paid in the case of witnesses subpoenaed or depositions taken under this Act.

No person shall be excused from so attending and testifying and deposing, or from so producing any book, paper, document, or other evidence on the ground that the testimony or evidence, documentary or otherwise, may tend to incriminate him or subject him to a penalty or forfeiture; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpoena and under oath, he may be compelled to testify or produce in evidence; except that no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

Any member of the commission, officer, or employee thereof, duly authorized in writing by the commission, shall, at all reasonable times for the purpose of examination, have access to and the right to copy any book, account, record, paper, or correspondence relating to any matter which the commission is authorized by this Act to investigate.

That every officer or employee of the United States whenever requested by the commission shall supply it with any data or information pertaining to any investigation by the commission which may be contained in the records of the office of such officer or employee.

Information to be given by Government officials.

That any person who shall willfully neglect or refuse to attend and testify or depose, or to produce or permit access to any book, account, record, document, correspondence, or paper, as herein provided for, shall be guilty of an offense and upon conviction thereof be punished by a fine of not more than \$5,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

Punishment for refusal to attend, produce books, etc.  
Post, p. 1447.

That the commission may appoint and remove such officers, employees, and agents; and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and other supplies and expenses, including salaries, traveling expenses of its members, secretary, officers, employees, and agents, and witness fees, as are necessary for the efficient execution of the functions vested in the commission by this Act and as may be provided for by Congress from time to time, and make such rules and regulations as may be necessary for the efficient administration of this Act. All of the expenditures of the commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman of the commission. No salary or compensation of any employee shall exceed \$7,500 per year.

Administrative personnel, office expenses, etc., authorized.

Approval of vouchers.

Pay restriction.

That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$200,000, or so much thereof as may be necessary, to be available until expended, for carrying out the provisions of this Act.

Authorization for expenses.  
Post, pp. 1050, 1447.

Approved, September 22, 1922.

**CHAP. 413.**—An Act To declare a national emergency to exist in the production, transportation, and distribution of coal and other fuel, granting additional powers to the Interstate Commerce Commission, providing for the appointment of a Federal Fuel Distributor, providing for the declaration of car-service priorities during the present emergency, and to prevent the sale of fuel at unjust and unreasonably high prices.

September 22, 1922.  
[H. R. 12472.]  
[Public, No. 348.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That by reason of the prolonged interruption in the operation of a substantial part of the coal-mining industry in the United States and of the impairment in the service of certain carriers engaged in commerce between the States and by reason of the disturbance in economic and industrial conditions caused by the World War a national emergency exists which endangers the public health and general welfare of the people of the United States, injures industry and business generally throughout the United States, furnishes an opportunity for the disposition of coal and other fuel at unreasonably high prices, limits the supply of heat, light, and power, threatens to obstruct and hamper the operation of the Government of the United States and of its several departments, the transportation of the mails, the operation and efficiency of the Army and the Navy, and the operation of carriers engaged in commerce among the several States and with foreign countries.

Coal emergency.  
Existence of, in mining, interstate commerce, etc., declared.  
Causes, etc., stated.

**SEC. 2.** That the powers of the Interstate Commerce Commission under the Act entitled "An Act to regulate commerce," approved February 4, 1887, as amended, including the Transportation Act, 1920, and especially under section 402 of said Transportation Act, 1920, are, during the aforesaid emergency, enlarged to include the authority to issue in transportation of coal or other fuel orders for

Interstate Commerce Commission.  
Powers enlarged, to issue priority orders, embargoes, etc., in transporting coal or other fuel.  
Vol. 24, p. 379; Vol. 36, p. 544; Vol. 41, pp. 474-476.