

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.

priorities in car service, embargoes, and other suitable measures in favor of or against any carrier, including vessels suitable for transportation of coal on the inland waters of the United States which for such purpose shall be subject to the Interstate Commerce Act, or region, municipality, community, or person, copartnership, or corporation, and to take any other necessary and appropriate steps for the priority in transportation and for the equitable distribution of coal or other fuel so as best to meet the emergency and to promote the general welfare, and to prevent upon the part of any person, partnership, association, or corporation the purchase or sale of coal or other fuel at prices unjustly or unreasonably high. This Act shall not be construed as repealing any of the powers heretofore granted by law to the Interstate Commerce Commission but shall be construed as conferring supplementary and additional powers to said commission and as an amendment to section 1 of the Interstate Commerce Act, and subject to the limitations and definitions of commerce controlled by said Act, and all powers given said Interstate Commerce Commission shall be applicable in the execution of this Act.

To secure equal distribution.

Prevent unjustly high prices, etc.

Powers supplementary to present authority of Commission.

Federal Fuel Distributor.
Created to facilitate interstate movement of coal, assist Commission in executing Act, etc.

Appointment, etc.

Duty of Director.

As to shortage of coal, etc.

Fields of production, markets, etc.

Reasonableness of current prices.

Location of consumers to receive priorities, etc.

Recommendations to Commission to secure equitable distribution, etc.

Consideration by the Commission.

SEC. 3. Because of such emergency and to assure an adequate supply and an equitable distribution of coal and other fuel, and to facilitate the movement thereof between the several States and with foreign countries, to supply the Army and Navy, the Government of the United States and its several departments, and carriers engaged in interstate commerce with the same during such emergency, and for other purposes, and for the further purpose of assisting in carrying into effect the orders of the Interstate Commerce Commission made under existing law or under section 2 hereof there is hereby created and established an agency of the United States to be known as Federal Fuel Distributor, whose appointment shall be made and compensation fixed by the President of the United States. Said distributor shall perform his duties under the direction of the President.

SEC. 4. It shall be the duty of the Federal Fuel Distributor to ascertain—

(a) Whether there exists within the United States or any part thereof a shortage of coal or other fuel and the extent of such shortage;

(b) The fields of production of coal and other fuel and the principal markets to which such production is or may be transported and distributed and the means and methods of distribution;

(c) The prices normally and usually charged for such coal and other fuel and whether current prices, considering the costs of production and distribution, are just and reasonable; and

(d) The nature and location of the consumers; what persons, copartnerships, corporations, regions, municipalities, or communities should, under the acts to regulate commerce administered by the Interstate Commerce Commission, including the Transportation Act, 1920, in time of shortage of coal and other fuel, or the transportation thereof, receive priority in transportation and distribution, and the degree thereof, and any other facts relating to the production, transportation, and distribution of coal and other fuel; and when so ascertained the Federal Fuel Distributor shall make appropriate recommendations pertaining thereto to the Interstate Commerce Commission from time to time either on his own motion or upon request of the commission, to the end that an equitable distribution of coal and other fuel may be secured so as best to meet the emergency and promote the general welfare. All facts and data within the possession of the Federal Fuel Distributor shall be at all times accessible and furnished to the Interstate Commerce Commission upon its request. The Interstate Commerce Commission is hereby authorized and directed

to receive and consider the recommendation of the Federal Fuel Distributor, based upon his reports upon the foregoing subjects, and any other information which it may secure in any manner authorized by law.

SEC. 5. The Federal Fuel Distributor may make such rules, regulations, and orders as he may deem necessary to carry out the duties imposed upon him by this Act and may cooperate with any department or agency of the Government, any State, Territory, district, or possession, or department, agency, or political subdivision thereof, or any person or persons, and may avail himself of the advice and assistance of any department, commission, or board of the Government, and may appoint or create any agent or agency to facilitate the power and authority herein conferred upon him; and he shall have the power to appoint, remove, and fix the compensation of such assistants and employees, not in conflict with existing laws, and make such expenditures for rent, printing, telegrams, telephones, furniture, stationery, office equipment, travel, and other operating expenses as shall be necessary for the due and effective administration of this Act. All facts, data, and records relating to the production, supply, distribution, and transportation of coal and other fuel in the possession of any commission, board, agency, or department of the Government shall at all times be available to the Federal Fuel Distributor and the Interstate Commerce Commission, and the person having custody of such facts, data, and records shall furnish the same promptly to the Federal Fuel Distributor or his duly authorized agent or to the commission on request therefor.

General powers of Distributor.

Cooperation, etc., with public agencies, etc.

Appointive and administrative authority.

Data, etc., to be furnished by Government agencies, etc.

SEC. 6. That whenever the President shall be of the opinion that the national emergency hereby declared has passed he shall by proclamation declare the same, and thereupon, except as to prosecutions for offenses, this Act shall no longer be in force or effect, and in no event shall it continue in force and effect for longer than twelve months from the passage thereof.

End of emergency to be declared by proclamation.

Termination of Act.

SEC. 7. Every person or corporation who shall knowingly make any false representation to the Interstate Commerce Commission or the Federal Fuel Distributor, or to any person acting in their behalf or the behalf of either of them, respecting the price at which coal or other fuel has been, is being, or is to be sold or bought, the inquiry being made for the purposes of this Act, or whoever having obtained coal or other fuel through a priority order or direction shall dispose of the same for purposes other than those for which said priority order or direction was issued without the consent of the Interstate Commerce Commission, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$1,000 nor more than \$20,000: *Provided*, That any person or any officer or director of any corporation subject to the provisions of this Act, or the Interstate Commerce Act and the Acts amendatory thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by any such corporation, who shall be convicted as aforesaid, shall, in addition to the fine herein provided for, be liable to imprisonment in the penitentiary for a term not exceeding two years, in the discretion of the court. Every violation of this section may be prosecuted in any court of the United States having jurisdiction of crimes within the district in which such violation is committed, or through which the transportation is conducted, or in which the car service is performed, or in which such concession or discrimination is granted, or given, or solicited or accepted, or received; and whenever the offense is begun in one jurisdiction and completed in another it may be dealt with, inquired of, tried, determined, and punished in either jurisdiction in the same manner as if the offense had been actually and wholly committed therein.

Specified acts of violations, deemed misdemeanors.

Penalty for. *Provided*. Additional personal punishment.

Venue of prosecutions.

Authorization for expenses.

Post, p. 1049.

Payment for incurred expenses.

SEC. 8. There is hereby authorized to be appropriated the sum of \$250,000, available until expended, for the purposes of this Act, including payment of personal services in the District of Columbia and elsewhere, and all expenses incident to organizing the work of the President's fuel distribution committee, and not exceeding \$50,000 thereof shall be available for reimbursement and payment upon specific approval of the President of expenses incurred since May 15, 1922, in connection with the work of the President's fuel distribution committee organized for the purpose of helping to meet the emergency existing in the matter of fuel.

Approved, September 22, 1922.

September 22, 1922.
[S. 2716.]
[Public, No. 349.]

CHAP. 414.—An Act To give effect to certain provisions of conventions with foreign Governments for facilitating the work of traveling salesmen.

Traveling salesmen.
Preamble.
Vol. 41, pp. 1663, 1669,
1696, 1719, 1725.

Whereas the United States has entered into conventions with the Governments of Uruguay, Guatemala, Salvador, Panama, and Venezuela which were signed on August 27, 1918, December 3, 1918, January 28, 1919, February 8, 1919, and July 3, 1919, respectively, for facilitating the work of traveling salesmen; and

Extracts from conventions.

Whereas Articles I and II of each of said conventions read as follows:

"ARTICLE I. Manufacturers, merchants, and traders domiciled within the jurisdiction of one of the high contracting parties may operate as commercial travelers either personally or by means of agents or employees within the jurisdiction of the other high contracting party on obtaining from the latter, upon payment of a single fee, a license which shall be valid throughout its entire territorial jurisdiction.

"In case either of the high contracting parties shall be engaged in war, it reserves to itself the right to prevent from operating within its jurisdiction under the provisions of this treaty, or otherwise, enemy nationals or other aliens whose presence it may consider prejudicial to public order and national safety.

"ART. II. In order to secure the license above mentioned the applicant must obtain from the country of domicile of the manufacturer, merchant, and trader represented a certificate attesting his character as commercial traveler. This certificate, which shall be issued by the authority to be designated in each country for the purpose, shall be viséed by the consul of the country in which the applicant proposes to operate, and the authorities of the latter shall, upon the presentation of such certificate, issue to the applicant the national license as provided in Article I."

Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce, or any person in the Department of Commerce designated by him, is hereby authorized to issue the licenses and certificates of identification which are provided for by the said Articles I and II, respectively, of the said conventions, or which may be provided for by similar articles in any convention or treaty that may hereafter be concluded by the United States with a foreign Government, and is further authorized to collect a reasonable fee for each license and certificate of identification issued. The amount of such fee shall be fixed by regulations made by the Secretary of Commerce and shall be paid into the Treasury of the United States quarterly.

Approved, September 22, 1922.

Identification licenses for.

Secretary of Commerce authorized to issue, as provided for in conventions.